American Farm Bureau Federation
35th Annual Meeting
Chicago, Illinois
December 16, 1953

FOR IMMEDIATE RELEASE

CHICAGO---Sen. James O. Eastland (D-Miss.), a member of the Senate Agriculture Committee, today called for unlimited production, high price supports and export subsidies to solve the problems of farmers now suffering from a 30 percent drop in agricultural exports.

Eastland's appraisal of U. S. farm problems and their solution was made in an address delivered before delegates to the 35th annual convention of the American Farm Bureau Federation here this week.

His proposal was made shortly after Secretary of Agriculture Ezra T. Benson told delegates that high rigid price supports, designed to stimulate a war-time production emergency, is not geared to the solution of current farm price and surplus disposal problems.

Urging the principle of unlimited production, Eastland said:

"It is a sad commentary that in a world where most of the population is perpetually hungry and in need of clothing, we in America must curtail our production because we have too much and cannot devise the means of getting our surpluses to those who need them."

Eastland added that "the domestic market for farm products is holding up well" and that "the rapidly increasing population is demanding more and more food and fiber".

"It has been my contention", he said, "that farmers should be encouraged in America to maintain high production in order that we have ample supplies at all times.

"I have argued that we must sell agricultural commodities abroad and that if our cotton exports were subsidized, either directly or indirectly, we can compete with foreign cottons on a price level."

(more)

The Mississippi senator said agricultural goals should be set up and that "it must be the national policy that to maintain our agricultural prosperity we will export a certain number of bushels of wheat, bales of cotton, or the amounts of rice, lard, fruits or any other crops of which there is a surplus."

"We must then use the economic power of the country to attain these goals", he said. "There are a number of policies which we could use. A more dynamic and aggressive marketing policy, the use of credits, export subsidies, selling surpluses for foreign currency, and import quotas by which we can import enough foreign goods to pay for our surplus production."

He said the United States must move to "recapture her historic share of the world market for our products."

"It does not have to be a direct subsidy, although such a subsidy would be the simplest approach. Whatever it is, it should move our products abroad at world prices without penalizing the farmer during the period of adjustment."

He added that "I believe that period (of adjustment) would be comparatively short."

"Meanwhile", he said, "I believe that high price supports are necessary to protect the farmer from those times where there is overproduction.

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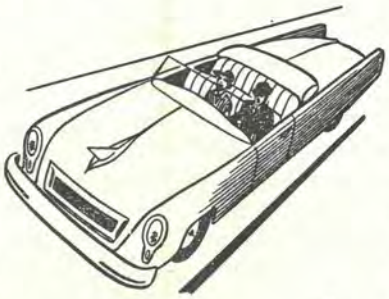
Reuther's ★ REVOLUTION ★

THIS REPRINT ALSO INCLUDES "TWENTY QUESTIONS FOR WALTER REUTHER"

GAW IS A foredoomed economic illusion, certain to be dispelled sooner or later, so far as the wage earners of the UAW are concerned. In the meantime, however, the Guaranteed Annual Wage is a pleasing and profitable political reality for Walter Reuther, the president of the United Automobile Workers, CIO.



Any general wage increase throughout industry which is not based upon increased productivity is an economic mirage which lures the thirsting wage earner into the desert of inflation. GAW is just one more of the economic fallacies of socialism, the brunt of which must be borne by the poor socialist stiffs while the rewards of the fallacy accrue to their bosses, the socialist politicians.

All his adult life, Walter Reuther has been planning revolution. Only the forms and labels of his revolutionary plans have changed from time to time. First, last, and always he has been a left-wing politician.

Despite the efforts of his press agents — both the paid and the volunteer — the Reuther record of commitment to revolution is in the books where all who wish may read.

The New York *Times* has said, believe it or not, that Walter Reuther possesses a combination of "the most engaging qualities of Albert Einstein and Van Johnson."

The *Saturday Evening Post* has likened this Einstein-Johnsonesque fellow to "an undissipated Prince of Wales."

On December 16, 1949, one thousand self-styled liberals gathered in the Astor Hotel in New York to watch Mrs. Eleanor Roosevelt pre-

By J. B. Matthews

From The American Mercury, September, 1955

sent Walter Reuther with a silver plaque and to listen to laudatory outbursts from Herbert Lehman, Maurice Tobin, Chester Bowles and others. Bowles averred that Walter Reuther is the sort of fellow who has "spearheaded the development of the American dream." Reuther himself announced to his assembled claque that the choice is not "between Wall Street and the Kremlin, Joe Stalin or Standard Oil, totalitarian communism or laissez-faire capitalism." What Reuther really meant was that *he* is the choice.

Harvard's Arthur Schlesinger, Jr., who brain-trusts the ADA (Americans for Democratic Action), is one of those who overflow with admiration of Walter Reuther. In his book, *The Vital Center*, Schlesinger writes: "Walter Reuther, the extraordinarily able and intelligent leader of the United Auto Workers, may well become in another decade the most powerful man in American politics." Which obviously means President of the United States!

The central fact about Walter Reuther's career is, of course, that he was the rabble-rousing, driving force of the sit-down strikes of 1936–1937. Those sit-down strikes were the largest single insurrectionary defiance of law and order in the history of the United States, excepting only the Civil War.

First Phase: Early Socialist Training

Walter Philip Reuther was born in Wheeling, West Virginia, September 1, 1907, the son of Valentine Reuther.

Walter's grandfather, Jacob Reuther, was well known as a socialist, a militant pacifist, and a labor agitator. Jacob gave his sons a thorough indoctrination in socialism.

As a young man, Valentine Reuther moved to Wheeling where he became a steel worker, and then a teamster for a Wheeling brewery. Throughout Walter's childhood and youth, socialism was a lively topic of discussion in the Reuther home.

Walter quit high school in 1924 at the age of 16, and went to work for the Wheeling Steel Corporation as an apprentice tool and die maker, and at once plunged into unionism. In 1927, he was fired, and set out for Detroit to seek a job in the automotive industry. Walter's first job in Detroit was at the Briggs body plant. In a few weeks, he switched to Ford.

Walter had night work at Ford's, and so he took up his high school studies once more. In 1929, he entered the College of the City of Detroit (later renamed Wayne University).

In 1930, his brothers, Victor and Roy, went to Detroit and enrolled at Wayne University. All three became known as campus agitators. Continuing what was by then a Reuther tradition, the brothers harangued the Wayne students on socialism. In 1932, Walter brought a chapter of the League for Industrial Democracy to the Wayne campus.

When an effort was made to establish an ROTC on the Wayne campus, Walter and his brothers put their radical agitation into high gear. A Wayne professor who joined them was suspended from the faculty and was brought up on charges before the Detroit Board of Education. The Reuthers promptly organized a demonstration in behalf of the suspended faculty member. Their campaign was successful. The Wayne University authorities dropped the plan for an ROTC.

Second Phase: Reuther Goes to Russia

A few weeks after the 1932 election, Walter and Victor decided to abandon the formal education of Wayne University in favor of a less academic preparation for their messianic careers — namely, experience in the workers' paradise of the Soviet Union.

For years, Walter and Victor have tried to distort the facts of their travel to and stay within the Soviet Union. In this effort, they have had the assistance of a wide variety of writers. They have tried to make it appear that Walter and Victor simply went on a general world tour, covering more than a score of countries without any special interest in any one of them. A press biographical service simply says that Walter "embarked on a world bicycle tour of Europe with his brother Victor, working in factories and studying union movements along the way." The Reuthers' trip abroad lasted from February, 1933, to October, 1935, or at least 32 months. Most of the period was spent in the Soviet Union, but there isn't a hint of that fact in the press biography.

Despite the wholesale distortions and false impressions, the fact is that the Reuther brothers embarked on an enthusiastic pilgrimage to the Soviet Union. That was their goal when they boarded ship in New York Harbor, in February, 1933. That was the goal they had achieved when they walked down the gangplank in San Francisco, in October, 1935.

By the beginning of 1934, Walter and Victor were in the Soviet Union at work in the large automobile plant at Gorky. They were writing letters to their friends in the United States, giving vent to unqualified enthusiasm over what they had found in the Soviet Union.

One letter to Melvin and Gladys Bishop has been widely quoted.

The Reuthers do not deny that they wrote a letter to the Bishops on or about January 21, 1934. Walter claims, however, that the printed

letter has been distorted. Both he and Victor decline to specify exactly where the distortions have been made. Walter's alibi is that the letter they wrote the Bishops was "a burst of adolescent enthusiasm," which amounts essentially to an admission of the letter's authenticity.

The letter reads, in part, as follows:

> Dear Mel and Glad:
>
> . . . the daily inspiration that is ours as we work side by side with our Russian comrades in our factory, the thought that we are actually helping to build a society that will forever end the exploitation of man by man, the thought that what we are building will be for the benefit and enjoyment of the working class, not only of Russia but the entire world, is the compensation we receive for our temporary absence from the struggle in the United States.
>
> Mel, you know Wal and I were always strong for the Soviet Union. You know we were always ready to defend it against the lies of reactionaries. . . . Here are no bosses to drive fear into the workers.
>
> . . . In all my life, Mel, I have never seen anything so inspiring. Mel, once a fellow has seen what is possible where workers gain power, he no longer fights just for an ideal, he fights for something which is real, something tangible.
>
> Carry on the fight for a Soviet America.
>
> VIC. and WAL.

There is no doubt about the authenticity of the "Vic and Wal" letter, despite the squirming of the Reuther brothers over its circulation.

The record leaves no doubt that the Reuther brothers went to Russia as Marxists and came away even more so. The pretense that they went and "found out the ugly truth" for themselves is an afterthought dictated by their interests as political adventurers.

Third Phase: Collaboration with Communists

Walter and Victor came back to Detroit from the Soviet Union in the fall of 1935, having spent at least 18 months in the Communist Utopia.

Shortly after Reuther's return from the Soviet Union, he addressed a meeting of the Young People's Socialist League. After lauding the Soviet Union with enthusiasm, he declared pompously: "We do not believe in God."

In the early days of the organizing of the automobile industry, the Communists set up what they called "the unity caucus." Sworn testimony before the Dies Committee incorporated the following memorandum:

> There were present at this caucus Wyndham Mortimer, Ed Hall, Walter Reuther, and about 90 delegates to the convention who were actually Communist Party members. Also present were William Weinstone, Michigan secretary of the Communist Party; Jack Stachel, of New York, a member of the central committee of the Communist Party; Morris Childs, of Chicago, secretary of the Communist Party . . . Jack Johnstone, of Chicago, a member of the central committee . . . and Louis Budenz . . . a member of the staff of the *Daily Worker*.

Fourth Phase: Sit-down Strike Leader

Whatever happens to the Reuther ambitions along the way, he deserves a place in American history as the generalissimo of the sit-down strikes. His present position rests entirely upon those acts of violence in which he collaborated to the fullest with the Communist Party of the United States.

Shortly after his return from the Soviet Union, he joined the insignificant little union in the automotive industry. In practically no time, he had achieved the presidency of the West Side local of the auto union.

With a mere seventy-eight members in his local, half of whom were employed in the Kelsey-Hayes wheel plant, Reuther established his reputation for a fantastic boldness by introducing the sit-down strike to Detroit. This unlawful seizure of property was an importation from France where the Communists of that country had shown how it could be used for "collective bludgeoning" wherever government was palsied in the face of Communist violence.

Reuther called a meeting of fifteen reliable UAW goons who were employed at the Kelsey-Hayes plant. With a callousness toward moral considerations, this man who has received wide acclaim in religious circles recalls unblushingly how the plot was hatched at this meeting in his home. He says: "We needed something dramatic. We had a big Polish gal at the meeting who had fainted on the assembly line once before. We assigned her to faint again, and showed her how to do it. That was to be the signal. When she fainted, someone else was to shut down the assembly line. We trained a couple of men in pulling the right switches."

Everything went according to schedule. The Polish gal fainted; the switches were pulled. Kelsey-Hayes employees who had attended the plotting session at Reuther's home began to yell, "Strike! Strike!"

To make a long story short, Walter Reuther and his brother, Victor, engineered a ten-day sit-down seizure of the Kelsey-Hayes plant, and their union membership grew from seventy-eight to thirty thousand.

Fifth Phase: UAW Presidency

Walter Reuther became president of the UAW in March, 1946. The achievement of this milestone in the Reuther career was most significant.

Walter's victory over R. J. Thomas was tenuous, indeed. The vote was 4,444 for Reuther and 4,320 for Thomas. This smallest of majorities catapulted Walter toward his ultimate goal.

During the debate which preceded the balloting at the 1946

UAW convention, Reuther revealed something of the measure of his demagoguery. It should be remembered that Reuther's long and costly 1945–1946 strike against General Motors came to an end the week before the UAW convention. In the course of that strike, Reuther in true demagogic fashion harangued the American public with the contention that General Motors' "ability to pay" was a fundamental issue in his demand for a thirty percent wage increase. In connection with this alleged issue, Reuther introduced the novel labor union demand that he be allowed to "look at the company's books." Attacking Reuther's conduct of the GM strike, R. J. Thomas chided him about his "ability to pay" formula and his "look at the company's books" demand. Walter Reuther's amazing retort which did much to plumb the depths of his hypocrisy was that Thomas knew that his demand to see GM's books was "just a maneuver" calculated to "get the company over a barrel."

Even more significant in its revelation of Reuther's hypocrisy was his statement to the UAW convention immediately after his elevation to the union's presidency. Thousands of UAW members and many more thousands of the American public had been led by Reuther to believe that the major issue in his election contest with R. J. Thomas was Communism. Reuther had ranted up and down the ranks of the UAW with patriotic-sounding attacks upon the Communists in the union. The acknowledged leader of the so-called Communist faction in the UAW was George Addes, the union's secretary-treasurer. It was assumed on all sides that Reuther would, in the event of his election, proceed at once to the business of ousting Addes from his strategic position in the union. How else could the Communists be purged from the UAW? Addes was the symbol of Communist domination.

Imagine the shock, therefore, when Walter Reuther stood up and faced the convention, immediately after the voting, and said: "I want now to extend my hand to George Addes . . . and tell him that together we can unite this organization." Addes and his Communists refused Reuther's "extended hand."

Immediately after his election to the UAW presidency in 1946, the New York *Herald Tribune* editorially described Walter Reuther as a "dangerous and disingenuous opportunist" and a "reckless politician" and commented upon his "aggressive demagoguery." The aptness of these phrases cannot be questioned.

Sixth Phase:
Building Political Fences

Rightly, we should speak of Walter Philip Reuther, LL.D. He is, in fact, a Doctor of Laws. This degree was conferred on Reuther, May 30, 1948, by (Catholic) St. Mary's College, Moraga, California.

The Catholic weekly, *Commonweal*, has joined the parade of Reuther adulators. A lengthy article in that paper was subtitled "a man you can bet on."

Commonweal also falls for the Reuther propagandistic line about that stay of Walter and Victor in the Soviet Union. The paper says: "Then came the year in Russia, during which he [Walter] and Victor taught tool-making to Russian workers, studied the Soviet System from the inside and decided they didn't want that kind of socialism."

Lest anyone draw the rash conclusion that certain Catholics have been singled out for attack because of their moral astigmatism in the matter of Walter Reuther, let it be noted with emphasis that the standing of this socialist labor politician is equally high in Protestant officialdom. In the *National Council Outlook*, official organ of the National Council of the Churches of Christ in the U.S.A. (October, 1954, page 21), Walter Reuther is pictured in the pose of handing a check for $200,000 to Methodist Bishop William C. Martin, then president of the National Council of Churches, "to help finance the Council's educational program in the area of the church and economic life."

This was not bad publicity for one aspiring to the Presidency of the United States. If Adlai Stevenson were pictured in the same magazine in the act of handing a check for $200,000 to the highest official in American Protestantism, the odor would be distinct in the most unsensitive nostrils.

Walter Reuther addressed the third annual convention of the United World Federalists in Cleveland in October, 1949.

World Government News, monthly magazine of the UWF, featured Reuther's appearance at this convention of crackpots, quoting an excerpt from his speech and publishing his picture. Said Reuther to the World Federalists: "I do believe that the work you people have been doing is the beginning of something that has tremendous importance in the world." On May 22, 1955 Walter Reuther was elected vice-president of United World Federalists.

Reuther has seized every opportunity to keep his name before the public. In season and out of season, he comes up with a "Reuther Plan." All of these "Reuther Plans" have one thing in common: they call for greater and greater government control over all the aspects of our economic life. He is by all odds the country's foremost national socialist. He has demonstrated that he is not in the slightest averse to the use of illegal and violent methods to achieve his ends. He has never repudiated the violence and terror of his sit-down strikes. Lacking such repudiation, his current disavowal of Communist sympathies is not worth the breath required to announce it.

Twenty Questions FOR WALTER REUTHER

By Paul C. Kent

An Open Letter to the United Auto Workers:

I address you as the men who turn out 85 percent of the world's automobiles. You keep America on wheels, and America-on-wheels assures you productive, prosperous and happy lives. Your heritage flows from an economic system found nowhere else on God's green earth. You have short hours, high pay and good working conditions because of the American Framework of Freedom. That framework has the height of political freedom. It has the breadth of religious freedom and the depth of economic freedom. It is a three-dimensional Framework of Freedom.

Whether you continue to enjoy its protection depends on your leadership. The man who leads you is Walter Reuther. Will he stay within our Framework of Freedom, or will he lead you out? The answer to that can be determined by asking him Twenty Questions:

1. ***Mr. Reuther, how did your early education differ from that of most Americans?***

There had to be a difference. Most families are Republican or Democratic.

Grandfather Jacob Reuther and Papa Valentine Reuther were working Socialists who brought their dialectic to the dinner table.

They indoctrinated Walter and his brothers thoroughly into the Gospel of Marx.

One of Walter's memorable boyhood experiences was a trip with his father to the Moundsville, West Virginia, prison cell of Eugene V. Debs, the Socialist leader.

2. ***Did your father take you to church?***

Several factors suggest this question. Papa Valentine belonged to the Lutheran Church but broke off because he could not reconcile God and Karl Marx. He nevertheless continued to take his sons to church so that they could pick the minister's sermon to pieces at the dinner table. On March 18, 1933, Reuther spoke before the Young People's Socialist League at the Masonic Temple in Flint, Michigan. There is sworn testimony that, when asked if he believed in religion, Reuther replied, "We do not believe in God but that man is God."

From The American Mercury, August, 1955

3. ***Outside your home were you an active Socialist?***

Reuther does not deny his wide activity. At Wayne University in Pittsburgh, he was a campus radical. He opposed the ROTC as Fascisti and organized a branch of the League for Industrial Democracy. Later on, he helped the political campaigns of Norman Thomas and ran for the Detroit Common Council on the Socialist ticket. There is evidence that he considered accepting the Socialist nomination for President in 1944.

4. ***Have you ever worked for industry?***

That can be quickly answered. The Wheeling Steel Corporation and the Ford Motor Company both fired him.

5. ***When your brother Victor and you went to Russia and worked in the big auto plant at Gorki, did you show Russian workers our retooling methods?***

The Reuthers have explained it was their job to train young Russian workers in the use of the most modern American tools.

6. ***While living in Russia, didn't you write a letter praising the Communist regime?***

Reuther admits there was such a letter signed "Vic and Wal." It was written, he said, "in a burst of adolescent enthusiasm." He was 27, which few would consider adolescent.

7. ***Do you still insist the version of the letter read into the*** Congressional Record ***contains added material which makes it a distortion?***

This refers to the version of the letter ending with the exhortation, "Carry on the fight for a Soviet America." Neither Walter nor Victor Reuther has ever repudiated the letter entirely, nor indicated which portions of the letter are genuine and which forged.

8. ***Didn't you play a part in passing along the Communist-sponsored plan to limit salaries to $25,000?***

The proposal to limit all salaries to $25,000 was a plank in the Communist Party platform in 1928. It was revived in almost identical terms by CIO leaders in 1942.

9. ***As a matter of fact, didn't you go further and declare salaries should be limited to $10,000?***

He did in a radio debate, September 16, 1951.

10. ***Isn't it true that in the mid-1930's you identified yourself with the Communist faction of the UAW?***

Sworn testimony of John L. Frey and Ralph Knox, two labor leaders, indicated they considered him a Communist in word and deed.

11. ***Didn't you use purely Communist tactics during the Flint sit-down strikes?***

Cadres of known Communist leaders carried out planned violence.

Brother Victor harangued acid-throwing mobs from sound trucks. When he was out of breath, a loud-speaker blared the "Internationale."

12. ***Do you recall that in 1937 you raised money for the Communist cause in the Spanish Civil War?***

Walter Reuther probably would not dispute this. Anyway, it is a matter of public record and sworn testimony.

13. ***About the same time, didn't you visit the office of Dr. Shafarman, and sign a card that you were without funds so that the City of Detroit would have to pay his fee?***

Again the sworn testimony of Detroit police officials.

14. ***Don't you think it more than a strange coincidence that this was the practice of hundreds of young Communists?***

There has been so much sworn testimony on this that it can no longer be a matter of dispute. Dr. Shafarman examined countless recruits for the Spanish Civil War. An investigation later found someone foisted the medical fees onto the City of Detroit. Asked if this Red conspiracy might not have cost the taxpayers $10,000 or $12,000, one official swore, "I would say way above that."

15. ***Hasn't your personal philosophy cleaved close to the Communist line?***

This question is prompted by many suggestions of what Reuther really believes — his use of the strategic minority, in violent ways if necessary; his professed pacifism as seen in his early campaign against ROTC and his own avoidance of service in World War II; and many other actions down to his support, as a power in Americans for Democratic Action, of the recognition of Red China.

16. ***Isn't it true that after your well-publicized purge of Communists in the UAW you shook hands with the leader of the Red faction?***

It has been pointed out time without number that they not only shook hands, but Reuther pledged that they would work together to unite the UAW.

17. ***Didn't you once refer to workers as animals?***

A news story of October 15, 1954, reported that Reuther had warned a government official "not to stir up the animals," who recently have had their dues raised 200 percent.

18. ***When brought down to rock bottom, are not your theories of economics purely Marxist?***

Guides to an answer here are numerous articles and public statements. One of them is the statement of Walter's *alter ego*, Victor Reuther, that "private ownership of monopolistic industries must be replaced by a form of social ownership." Walter Reuther wrote in the New York

Times Magazine on September 16, 1945, that the country will go into a "tailspin of deflation" unless there is "government prodding." He has shown time without number that he doesn't think much of America's free economy. He has said, "Nineteen-twenty-nine can happen again." And, "The whole thing is cockeyed in America." And, "The time is later than you think." He believes wartime emergency planning and controls should become normal operations. There are some who fear that his real intention is not to help the working man but to wreck the capitalistic system. They point out that this attitude is revealed in his statement to you workers in your Cleveland meeting, "We're going back, year after year, and ask for more and more and more."

19. ***Do you think the true story of your shooting will ever be told?***

No criminal act since the Lindbergh kidnaping has taken as many curious twists as the shotgun shooting of Walter Reuther. Most mysterious of all are the behind-the-scenes dealings of your union, the United Auto Workers, with Donald Ritchie, who received a first installment of $5,000 after he had declared he could bring the gunmen to justice. Where is Ritchie now?

20. ***Walter Reuther, where are you taking us, and where are you taking the country?***

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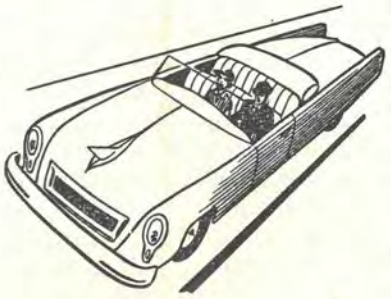

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By J. B. Matthews

From The American Mercury, September, 1955

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: October 23, 1955 No. 16

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

MONOPOLY TROUBLES

The merger between the A.F.L. and the C.I.O. will bring together under one direction most of the 15 million organized workers in this country. It is expected by the unions concerned that this will give them immensely greater power -- economically and politically.

There is considerable question about the advantage of a monopoly in any field. That monopolies have evils inherent in them, we all know. That is why industrial monopolies are illegal. That is why labor monopolies should also be illegal. They should both come equally under the anti-trust laws.

But it is assuming a good deal sometimes to take it for granted that monopolies even give those participating in them great advantages that they otherwise would not have. Competition is the spice of business; take the spice out and you are quite likely to leave only a tasteless mass. Monopolies tend to stagnation and death by dry rot.

Sometimes we hear it said that it would be a fine thing if all the churches would unite in one big church. As a matter of fact, it would perhaps be the worst thing that could happen to the growth of the churches.

We quite often hear it said that it would be a fine thing if all the organizations supporting the cause of free enterprise would combine their efforts in one big organization. On the surface this sounds good, but it would perhaps be the worst thing that could happen to free enterprise.

And so in the case of the various unions that will be brought under one head in the AFL-CIO merger. Individual unions would no longer be competing for members; heads of the separate unions would lose most of their separate powers. After this merger

This is assuming, of course, that there are still some astute politicians left in either party.

THE REAL $64,000 QUESTION!

Most everybody else is talking and writing about the $64,000 Question -- so why not get in the act myself?

We might imagine the following dialog between a son and his father:

"Father, if I were a single man earning $4,000 a year and won a prize of $32,000, would I get to keep all that $32,000 for myself?"

"No, indeed, son. Uncle Sam's Internal Revenue collector would come along and claim $15,400 of it, and you could keep only $16,600 for yourself."

"Well, suppose I won a prize of $64,000. How much of that could I keep for myself?"

"In that case, son, the tax collector would take $38,692, and you would keep $25,308 for yourself."

"Well, dad, how big a prize would I have to win in order to keep $64,000 for myself?"

"Son, in order to keep $64,000 for yourself, you would have to win a prize amounting to $448,711."

The $64,000 Question T-V program has done one thing if nothing else -- it has provided a vivid illustration to about 55 million viewers each week of the way confiscatory personal income tax rates stack the cards against risk-taking ventures.

These viewers have seen people in a number of cases decide against taking the chance of turning $32,000 into $64,000. They are just not allowed to keep enough of the additional $32,000 to make the risk worthwhile.

What the viewers of the T-V show do not see is that these same tax rules dictate a "No" answer every day of the week to businessmen of all descriptions. Why make the extra effort and take the chance when the tax collector won't let you keep much of the gain? Thus is incentive deadened and initiative chilled.

The real $64,000 Question is this: When shall we again have tax rates that encourage people to go ahead instead of quit?

* * *

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: November 13, 1955 No. 19

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

Segregation

PRIDE OF RACE

One who has pride of race in no way belittles others who are also proud of their race. In fact, there is something wrong with a man who has no pride of race -- just as there would be something wrong with him if he had no pride of country or church or family. In all cases, we could apply the poet's description that "his soul is dead".

This is assuming, of course, that the race, the country, the church, the family are something to be proud of; if they are not, then there is something wrong with the race, the country, the church, the family.

This is a point that seems to be generally overlooked in most discussions of the question of integration in this country.

When the Supreme Court handed down its "separate but equal" ruling better than half a century ago, that should have been all that anyone in either race should ask. Pride of race should have made anyone in either race rebel at anything else.

Let us suppose for a moment that the population situation in this country were reversed -- that there were 15 million white people and 150 million colored people.

In that case would the 15 million white people, enjoying "equal but separate" facilities, be demanding integration with the 150 million colored people? It is to be believed the question answers itself.

POLITICS - AND THE RIGHT TO WORK

It is to be believed that the political party which would come out strongly with a stand that the individual in this country must have the right to work and

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: November 27, 1955 No. 21

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

Segregation

THE RESULT OF INTEGRATION

Whatever advantages and benefits the Negroes gain should always be attained through their own efforts and abilities, not by legislative or judicial fiat. That is not discriminating against the Negro. The same observation applies to all races.

From all appearances, it would seem that the Supreme Court of the United States and all those who support its integration ruling are determined to be what they call "right" even if it destroys the nation. Apparently, it has never occurred to them that they might be wrong.

So the integrationists leave out all question of individual ability and racial characteristics and apply compulsion and force in their place.

It is already beginning to appear that this attitude is the worst thing that could happen to both races, is the worst thing that could happen to race relationships. The chances are highly in favor of the result that should integration be forced upon the nation, as the Supreme Court has ruled it should, all the people of all races would find out that none of them actually want it.

Already we are seeing an indication of what happens from forced integration in Washington, D. C. Twenty years ago, 64 per cent of the pupils in the schools of that city were white and 36 per cent Negro. Now the situation is exactly reversed — 64 per cent Negro and 36 per cent white.

Thousands of white families have moved out of Washington to the suburban areas of Virginia and Maryland. The white families with children are leaving the city. The Negro families with children are moving in. The Negroes have taken over the Nation's Capitol. This has not been accomplished through any ability on their part; the Courts

and the Congress simply left an unnatural vacuum in the city and the Negroes moved in.

Another thing the integrationists seem to wilfully overlook is that there is no question of right involved in integration, it is a question of force. Everyone in his right mind these days believes that members of all races should have equal rights. No one in his right mind believes that these rights should be upheld through forced integration. Not if he has the future welfare of his nation -- and all the races that compose his nation -- at heart.

UNION DUES FOR POLITICAL PURPOSES

The question of whether labor union bosses have the right to spend for political purposes part of the money collected from the union members in regular dues is one that is supposedly settled by law but one that is not settled by practice.

The union leaders either get around the law or they ignore the law by going right ahead while awaiting court decisions. They "get around" the law by claiming they spend the money for "educational" purposes and not in direct political activities. They spent $2 million this way during the 1954 campaign and they expect to spend a great deal more during the 1956 campaign.

Senator Barry Goldwater of Arizona raises the pertinent question, "Aren't these funds in reality union dues, being converted to a political use?" He further observes, "No person should be forced to donate to any political party or political fund in order to keep a job as a member of a union or any other organization."

Since direct political activity is banned by law for unions and corporations, this question should be settled and soon. It is not only not right to use dues paid by a union member in a political manner with which the union member may not agree; it is also not right to allow the unions to continue political activities of this sort while forbidding corporations to do so.

Or, if the law can be got around by the "educational" subterfuge, then the corporations would do well to protect the interests of their stockholders by engaging in some "educational" activity themselves.

To all Editors, Columnists, Commentators — for IMMEDIATE RELEASE as feature article, letter-to-editor, or as background material for editorial writers.

CCG spotlight for the nation NATIONAL ISSUES

ERA OF JUDICIAL TYRANNY*

States Rights

By Hon. James O. Eastland
U. S. Senator from Mississippi

No. E-345

There is at stake the preservation of the American system of Government with its dual powers, which provide for individual liberty and freedom. There is further at stake the racial integrity, the culture, the creative genius, and the advanced civilization of the white race. The entire future of this country is at issue.

In a recent speech before the Association of Citizens' Councils in Jackson, Mississippi, I stated that this country has entered an era of "Judicial Tyranny." The Supreme Court of the United States has arrogated unto itself powers not delegated to it by the Constitution or established law of this land. Nine politicians in judicial robes have usurped the power and function of the great Legislative Branch of our Federal Government. They have prostituted both the letter and the spirit of the United States Constitution. They have ruthlessly infringed upon, and attempted to destroy, the great reservoir of powers and rights reserved to the sovereign States and the people. They would shatter and make meaningless that greatest of all testaments to the rights and privileges of a free people — The Bill of Rights. The time has come when the bit and curb must be placed on these unfaithful guardians of our heritage, rights, and liberties.

Thomas Jefferson, with vision and prescience that passes all human understanding, foresaw that within the body politic of the Federal Judiciary, lay the seeds for the dissolution of the union. He saw in the United States Supreme Court the Achilles heel in the fabric and body of the Republic. He stated that the Court could, "like a thief in the night," steal away the liberties of the people. This was his warning to posterity:

> "The Legislative and Executive branches may sometimes err, but elections and dependence will bring them to rights. The Judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass."

We have now reached the point in the sweep of history where Jefferson's prophecy is a fact.

Judge Stone, a former great Chief Justice, in 1936, the starting point in the era of judicial degeneration, pointed out the lack of a check or balance on the Court in these words:

> James Madison, discussing the subject "Supposed Danger from the Powers of the Union to the State Governments," could have been writing on the present situation when he said:
>
> ***"On the other hand should an unwarrantable measure of the Federal Government be unpopular in particular states, which would seldom fail to be the case, or even a warrantable measure be so, which may sometimes be the case, the means of opposition to it are powerful and at hand. The disquietude of the people; their repugnance and perhaps refusal to co-operate with the officers of the union; the frowns of the executive magistrate of the state; the embarrassments created by legislative devices, which would often be added on such occasions, would oppose, in any state, difficulties not to be despised; would form in a large state very serious impediments; and where the sentiments of several adjoining states happened to be in unison, would present obstructions which the Federal Government would hardly be willing to encounter." (The Federalist p. 298)***

> ". . . while unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, *the only check on our own exercise of power is our own sense of self-restraint.*" (italics added)

I deny that the Constitution of the United States and the Constitution of the several States are meaningless scraps of paper; subject to the whims, the caprice, and the personal predelictions of nine judges who can claim freedom of responsibility to the will of the people.

George Washington warned in his Farewell Address that:

> "The Constitution which at any time exists till *changed by an explicit and authentic act of the whole people* is sacredly obligatory upon all."

Washington did not exempt the members of the Supreme Court from this solemn obligation.

He added an injunction to the Supreme Court and all others in position of power:

> "Let there be no change by usurpation; for though there in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Abraham Lincoln named in emphatic terms the true guardians of the Supreme Court when he said:

> "The people — the people — are the rightful masters of both congresses and courts—not to overthrow the Constitution, but to overthrow the men who pervert it."

In most of the great Constitutional crisis of the past, where the Supreme Court was the focal point of attack or criticism, the fundamental points at issue were the failure of the Court to declare an Act of Congress unconstitutional. Where it held Acts of Congress unconstitutional, such as the original Income Tax Law, appeal could be taken to the people and the Constitution itself amended.

Now, the Court itself has broken the chains that should bind it to the Constitution; violated the Bill of Rights; usurped legislative powers; and invaded the area of reserved powers held inviolate to the States and the people.

The anti-segregation decisions are dishonest decisions in the light of law and precedent. Although rendered by Judges whose sworn duty it was to uphold the law and to protect and preserve the Constitution of the United States, these decisions were dictated by political pressure groups bent upon the destruction of the American system of Government, and the mongrelization of the white race.

Lawless acts of a Court do not make the law. Corrupt decisions of a Court do not change the law. The Supreme Court does not have the power to change the Constitution of the United States. There is no law that a free people must submit to a flagrant invasion of their personal liberty. Our position is sound under the Constitution and laws of the United States.

The negro is being used as a pawn by those who plot the destruction of our Government. The Communist conspiracy can never succeed in America unless there is first destroyed the powers of the States. It can never succeed until the people are deprived of the power to control their local institutions. When the Supreme Court destroys local self-government in the South, it also destroys it in the North.

A concerted attempt is being made to suppress the truth of what is going on in the Washington school system. President Eisenhower promised that the Washington schools would be a laboratory to demonstrate to the world how easily and effectively integration and Democracy would work. President Eisenhower's own grandchildren have been removed from a system that permits integrated schools and placed in a private segregated Episcopal school in Alexandria, Virginia.

*From an address by Sen. Eastland to the S. C. Association of White Citizens' Councils, Jan. 26, 1956.

In a recent meeting of the City Commissioners in Washington, one Commissioner charged that promotions in the District of Columbia City Schools were made by weight and poundage. To this the Superintendent of Schools replied that it was not true that promotions in the District of Columbia schools are by size but it is true that promotional standards from one class to another will have to be lowered to accommodate the average.

Both negro and white teachers admit there is a definite lowering of standards in the integrated schools. The white children are being pulled down to the intelligence level of the negroes. A negro principal said:

> "I wonder if it isn't more important to American cultural progress to sacrifice scholastic standards for the additional value of both groups sharing the experience of living together."

Much is said about the right of interposition or nullification. The Supreme Court is the nullifier. The Court and the pressure groups who dominate and control it seek to nullify the Bill of Rights. The South through the doctrine of interposition seeks to protect the Constitution of the United States.

Of course, in this instance no one contends that a State can nullify an act which the Congress has the power to pass or to nullify any of the constitutional and legal powers of the Federal Government. What we attempt to do is to point to the illegality, and void by constitutional and legal means an unconstitutional and illegal act committed by the Supreme Court, which if permitted to stand will destroy State Governments and deprive our citizens of some of their most precious liberties.

The question which confronts us is crystal clear: Interposition is the legal and constitutional doctrine through which it can be resolved. The Supreme Court of the United States has committed several unconstitutional acts in the segregation cases. It has attempted to amend the Constitution of the United States and to use compulsion to enforce its illegal decisions. It would have the fundamental rights of the states and their citizens exist only at the sufferance of the Federal Courts. The people represented by an aggregate of three-fourths the sovereign states are the final and ultimate arbiters of the Constitution. These decisions are but one link in the chain which the Supreme Court is attempting to forge around the liberties of the American people.

In addition, there are other decisions of the Court which affect other sections of the country and which erode the liberties of all our people. The Court is on the march and unless curbed it will use force to completely mongrelize the American people. If this judicial march is not halted there will be no states. We will lose the dual system of government. In the field of contested powers which go to the foundation of our system of government the States and not the Supreme Court are the final arbiter.

Practically every year the Congress is forced to void some illegal act or attempted legislation by the Court in its grab for power. This was true in the Tidelands Case. It was true in the Portal to Portal Pay Bill, and yet the Congress by legislation voids only a fraction of the decisions by which the Court constantly legislates and deprives the states and the people of their liberties. These are instances in which it is possible for Congress itself to curb or circumvent the Court. Such is not true in the Segregation Decisions. Here the Court has both amended the Constitution and usurped legislative powers.

In my judgment the states affected should say that these decisions are illegal and invalid . . . that the Supreme Court has no power to amend the Constitution of the United States. That the Court has no power to interfere with or place a limitation upon the power of any state to regulate health, morals, education, marriage and good order within the state. This gives us the basis to lay our grievances before the sister states and at the bar of public opinion in the United States. I think we should then request by resolution an amendment to the Constitution, under Article V thereof, which will rivet these principles into our Constitution and into our system of Government.

What we seek is to use constitutional and legal means to restore the dual system of government and to protect the liberties of the people. I do not believe the people of any state in any section of this country desire to see, or that they will permit, the politicians who sit upon the Court to take from them the control of their schools, their local institutions, and their domestic affairs. Every section of the country has its local problems and they should all be combined in this overall legislative plan.

Before the bar of public opinion and the constitutional integrity of our sister states, we will assert that a bare majority of the Supreme Court is not a perpetual Constitutional Convention. We will challenge the doctrine that the article of the Constitution creating the judiciary supplants Article V which provides for amendments to the Constitution. We will assert the principle that we have a government of law and not men, and law cannot be changed by the sophistry of psychologists. We will challenge the doctrine that the Constitution is what nine men say it is.

Southern people will form the nucleus for a great nation-wide organization. The power of pressure groups, conscienceless organized minorities, the professional do-gooders and one-worlders, and the Communist Conspiracy, to pervert and change the basic form of our Constitutional government, through manipulating politicians and the Federal Courts, must be broken.

Creeping socialism and the totalitarian concentration of power in the Federal Government must be stopped. The powers reserved to the sovereign States and the people must be reasserted. The country must be reawakened to the immortal principle of Anglo-Saxon freedom that man is destined to be the Master rather than the servant of the State. The soulless materialism of Marxism and socialism must be offset by a revival of the spiritual truth that an all-wise Creator gave to man inalienable rights that our Republic was designed and dedicated to preserve. If we have government of men, and not of law, and we escape tyranny only through compassion; then liberty exists only as a phantom among the shadows and the dream of a free people on this Continent in the dust lies dead. The people must arise and guard the unfaithful guardian of the Constitution.

TO ALL EDITORS: Thanks for tear sheet showing how this was used.

TO THE PUBLIC: This Spotlight by Senator Eastland of Mississippi, embodying some of his remarks to a southern audience in January of 1956, preceded by six weeks the Declaration on Integration signed by 96 Congressmen. As Sen. Eastland points out, the Supreme Court has gone outside the law and into the realm of psychological and sociological opinion, not only in the matter of desegregation but in other important areas also belonging exclusively to the states under our Constitution.

Whether or not the reader agrees with the viewpoint set forth by 96 Congressmen (including Sen. Eastland) in the March 11th Declaration on Segregation—see Spotlight of that title, No. E-344—nevertheless it is a statement of constitutional principles that should attract the attention of thoughtful persons, especially constitutional lawyers and statesmen all over the U. S. *The issues raised are important to all the states.*

If you are concerned over this trend toward greater and greater encroachment by the Federal Government on your state's rights, all states' rights, if you believe firmly in the dual form of government established by our Constitution, you will wish to study and distribute widely in your own circles this challenging statement by Sen. Eastland, "Era of Judicial Tyranny," Spotlight E-345 and Spotlight E-344, "Declaration on Integration," by 96 Congressmen.

For additional information on the subject of states' rights and integration, send for "States' Rights," by Robert H. Kelley, Spotlight No. E-341 and "Forced Integration . . ." by Homer Dodge, Spotlight No. E-340.

Distribute all these Spotlights widely among fellow workers, civic leaders, editors, educators, clergymen, opinion molders in your community. Express your opinion to your representatives in Congress, sending along a copy of these Spotlights. Get others in your circles to do likewise. 4 copies free; 40 for $1; more, 2c each.

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SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

INTEGRATION DECREE PLAYED INTO HANDS OF COMMUNISTS - PART II

The voice of communism in the United States, the Daily Worker, tries to give every pretense of representing the working men and the minority groups. Actually, it does not have the least interest in either one and only attempts to use them as vehicles for advancing the cause of communism. In doing so, it never overlooks an opportunity to attack the South. Here again it makes the pretense of doing so because the South has traditionally favored segregation of the races, whereas it really does so because the South is actually the greatest defense against communism left in the land.

Now that the Supreme Court has handed down the integration decree, the Daily Worker is happy; it has plenty of fuel with which to feed the flame. It therefore does so continually and consistently. An editorial of January 26th contains the following paragraph:

"The real road block to legislation advancing the interests of working men in general and Negroes in particular, is represented by the Congressional alliance of GOP-reactionaries and the Dixiecrats. It will require the united efforts of the combined groups pledged to support civil rights to overcome this road block. There can be no victory against reaction if one or another part of the pro-civil rights alliance breaks ranks and concedes defeat every time the Dixiecrat hyena howls."

If any proof were needed, this one statement would confirm what is generally known to all thoughtful people in this country -- that it has been the alliance of conservatives in the South with those of like mind in other parts of the nation that has saved this country from communism, or at least socialism, which is only a half-way step to communism.

Another attack on the South occurred in an editorial in the Daily Worker of January 30th:

"It is becoming clearer and clearer as to who is playing politics with the rights to an education of the nation's school children -- Negro and white. The Dixiecrat bloc of U. S. Congressmen has served notice that its members will insist upon their right to continue the system of economic robbery of Negro children and mental maiming of all children."

All these supposed ills -- which we all know are non-existent -- the Communists blame upon segregation. They thus use segregation as the whipping boy in their drive toward communism.

But again the Daily Worker stirs up racial strife and hatred of the South in an editorial of February 2nd:

"The White Citizens Councils are out to win by every means the un-American battle they are waging against democracy in Montgomery (Ala.) In this uneven fight they have the full force of the city government on their side. If they win it will be because the nation permitted latter-day Confederates and white collar Klansmen to replace the Constitution with WCC's racist code. We owe it to ourselves to exert every pressure for federal government and private aid to Montgomery's embattled Negroes."

And look who is talking about subversion when the Daily Worker says on February 7th:

"All of us throughout the land owe a deep, abiding debt of gratitude to the Negro heroines and heroes who, sometimes almost single-handed and always at the risk of life, have been battling the powerful, ruthless forces of subversion in the South."

All of this communistic rabble-rousing might be passed off as unimportant -- and it would be unimportant if voiced only by the Daily Worker -- but the trouble is that many well-known news commentators and columnists, so-called 'liberal' newspapers and national publications, and groups and organizations of various sorts go right to bed with the Daily Worker and spout the same communist line. They largely control the news and the press -- so what can the South expect?

We can be eternally grateful here in the South that most all our Congressmen and state political leaders vigorously champion the principles and philosophy by which the South has always lived and by which we may hope it shall always live. They have not been deceived by the communist line. Those who have not had the courage and the patriotism to take the same stand are not worthy of the people and the land they represent.

To all Editors, Columnists, Commentators — for IMMEDIATE RELEASE as feature article, letter-to-editor, or as background material for editorial writers.

CCG spotlight for the nation — NATIONAL ISSUES

Segregation

Text of DECLARATION ON INTEGRATION By 96 Congressmen

March 11, 1956

No. E-344

The unwarranted decision of the Supreme Court in the public school cases is now bearing the fruit always produced when men substitute naked power for established law.

The Founding Fathers gave us a Constitution of checks and balances because they realized the inescapable lesson of history that no man or group of men can be safely entrusted with unlimited power. They framed this Constitution with its provisions for change by amendment in order to secure the fundamentals of government against the dangers of temporary popular passion or the personal predilections of public officeholders.

We regard the decision of the Supreme Court in the school cases as clear abuse of judicial power. It climaxes a trend in the Federal judiciary undertaking to legislate, in derogation of the authority of Congress, and to encroach upon the reserved rights of the states and the people.

The original Constitution does not mention education. Neither does the Fourteenth Amendment nor any other amendment. The debates preceding the submission of the Fourteenth Amendment clearly show that there was no intent that it should affect the systems of education maintained by the states.

The very Congress which proposed the amendment subsequently provided for segregated schools in the District of Columbia.

1868 Conditions Noted

When the amendment was adopted in 1868, there were thirty-seven states of the Union. Every one of the twenty-six states that had any substantial racial differences among its people either approved the operation of segregated schools already in existence or subsequently established such schools by action of the same law-making body which considered the Fourteenth Amendment.

As admitted by the Supreme Court in the public school case (Brown v. Board of Education), the doctrine of separate but equal schools "apparently originated in Roberts v. City of Boston (1849), upholding school segregation against attack as being violative of a state constitutional guarantee of equality." This constitutional doctrine began in the North—not in the South—and it was followed not only in Massachusetts but in Connecticut, New York, Illinois, Indiana, Michigan, Minnesota, New Jersey, Ohio, Pennsylvania and other northern states until they, exercising their rights as states through the constitutional processes of local self-government, changed their school systems.

In the case of Plessy v. Ferguson in 1896 the Supreme Court expressly declared that under the Fourteenth Amendment no person was denied any of his rights if the states provided separate but equal public facilities. This decision has been followed in many other cases. It is notable that the Supreme Court, speaking through Chief Justice Taft, a former President of the United States, unanimously declared in 1927 in Lum v. Rice that the "separate but equal" principle is "* * * within the discretion of the state in regulating its public schools and does not conflict with the Fourteenth Amendment."

This interpretation, restated time and again, became a part of the life of the people of many of the states and confirmed their habits, customs, traditions and way of life. It is founded on elemental humanity and common sense, for parents should not be deprived by Government of the right to direct the lives and education of their own children.

Though there has been no constitutional amendment or act of Congress changing this established legal principle almost a century old, the Supreme Court of the United States, with no legal basis for such action, undertook to exercise their naked judicial power and substituted their personal political and social ideas for the established law of the land.

'Chaos and Confusion'

This unwarranted exercise of power by the court, contrary to the Constitution, is creating chaos and confusion in the states principally affected. It is destroying the amicable relations between the white and Negro races that have been created through ninety years of patient effort by the good people of both races. It has planted hatred and suspicion where there has been heretofore friendship and understanding.

Without regard to the consent of the governed, outside agitators are threatening immediate and revolutionary changes in our public school systems. If done, this is certain to destroy the system of public education in some of the states.

With the gravest concern for the explosive and dangerous condition created by this decision and inflamed by outside meddlers:

We reaffirm our reliance on the Constitution as the fundamental law of the land.

We decry the Supreme Court's encroachments on rights reserved to the states and to the people, contrary to established law and to the Constitution.

We commend the motives of those states which have declared the intention to resist forced integration by any lawful means.

We appeal to the states and people who are not directly affected by these decisions to consider the constitutional principles involved against the time when they too, on issues vital to them, may be the victims of judicial encroachment.

Even though we constitute a minority in the present Congress, we have full faith that a majority of the American people believe in the dual system of government which has enabled us to achieve our greatness and will in time demand that the reserved rights of the states and of the people be made secure against judicial usurpation.

We pledge ourselves to use all lawful means to bring about a reversal of this decision which is contrary to the Constitution and to prevent the use of force in its implementation.

In this trying period, as we all seek to right this wrong, we appeal to our people

not to be provoked by the agitators and troublemakers invading our states and to scrupulously refrain from disorder and lawless acts.

Signed by:

Members of the United States Senate:

Alabama—John Sparkman and Lister Hill.

Arkansas—J. W. Fullbright and John L. McClellan.

Florida—George A. Smathers and Spessard L. Holland.

Georgia—Walter F. George and Richard B. Russell.

Louisiana—Allen J. Ellender and Russell B. Long.

Mississippi — John Stennis and James O. Eastland.

North Carolina—Sam J. Ervin Jr. and W. Kerr Scott.

South Carolina—Strom Thurmon and Olin D. Johnston.

Texas—Price Daniel.

Virginia — Harry F. Byrd and A. Willis Robertson.

Members of the United States House of Representatives:

Alabama — Frank J. Boykin, George M. Grant, George M. Andrews, Kenneth R. Roberts, Albert Rains, Armistead I. Selden Jr., Carl Elliott, Robert E. Jones and George Huddleston Jr.

Arkansas—E. C. Gathings, Wilbur D. Mills, James W. Trimble, Oren Harris, Brooks Hays, F. W. Norrell.

Florida — Charles E. Bennett, Robert L. Sikes, A. S. Herbert Jr., Paul G. Rogers, James A. Haley, D. R. Matthews.

Georgia—Prince H. Preston, John L. Pilcher, E. L. Forrester, John James Flynt Jr., James C. Davis, Carl Vinson, Henderson Lanham, Iris F. Blitch, Phil M. Landrum, Paul Brown.

Louisiana—F. Edward Hebert, Hale Boggs, Edwin E. Willis, Overton Brooks, Otto E. Passman, James H. Morrison, T. Ashton Thompson, George S. Long.

Mississippi—Thomas G. Abernethy, Jamie L. Whitten, Frank E. Smith, John Bell Williams, Arthur Winsted, William M. Colmer.

North Carolina—Herbert C. Bonner, L. H. Fountain, Graham A. Barden, Carl T. Durham, F. Ertel Carlyle, Hugh Q. Alexander, Woodrow W. Jones, George A. Shuford.

South Carolina—L. Mendel Rivers, John J. Riley, W. J. Bryan Dorn, Robert T. Ashmore, James P. Richards, John L. McMillan.

Tennessee—James B. Frazer Jr., Tom Murray, Jere Cooper, Clifford Davis.

Texas—Wright Patman, John Dowdy, Walter Rogers, O. C. Fisher.

Virginia — Edward J. Robeson Jr., Porter Hardy Jr., J. Vaughan Gary, Watkins M. Abbitt, William M. Tuck, Richard H. Poff, Burr P. Harrison, Howard W. Smith, W. Pat Jennings, Joel T. Broyhill.

REVIEW and OUTLOOK

Statement From the South

One hundred Southern members of Congress have signed a declaration of principles pledging to use "all lawful means" to upset the Supreme Court's 1954 decision which banned segregation in the public schools.

The declaration was severely critical of that decision. The high court, the Southerners wrote, had abused its judicial power, had legislated in an area reserved to the states, and had overthrown an "established legal principle almost a century old." Yet the words were not inflammatory; there was a tone of restraint throughout and a cautious admonition to extremists on both sides of the segregation question.

Some of the points the hundred Senators and Representatives make cannot be easily dismissed. There is, for example, no question that the Supreme Court did overrule former decisions of the same court which said that "separate but equal" school facilities were lawful and that such schools did not conflict with the Fourteenth Amendment.

And there is no question that these nineteen Senators and eighty-one Representatives have a right to believe that the Supreme Court was wrong, just as they had a duty as responsible men to announce that their efforts to avoid or to change the Court's rule would be limited to lawful means. Just what they propose to do they did not say and, indeed, quite probably they could not say. For the pattern is a different one in the different Southern states and in each of the states a different pattern can be found in different communities. In some of the states integration is already going ahead slowly; in others, it is a long way off.

So these hundred men could hardly have agreed on anything more than a statement of principles embodying use of lawful means; but the fact that they did agree on that makes their statement all the more serious. For among these men are men who would not put their names to any document in which they did not truly believe.

Among them are some of the ablest men in the United States Senate. Among them are men who are known as conservatives and some who are known as liberals. The signers number Republicans as well as Democrats. Many of them are held by their fellow members in the House and Senate—even by some who think their views in this matter gravely wrong—in the highest esteem.

This is not the voice of any gallused demagogue. The hundred men spoke for millions of people, some frustrated, some bewildered, some disheartened, and some fearful. Not all the people in the South will agree with these Senators and Representatives in opposing, even by lawful means, an end to segregation. But these people also know that demagoguery on either side can cause great harm and undo much that has already been done to better relations between the races in the South.

The Congressmen pleaded for understanding of their case when they wrote of the decisions upholding the right to create dual school systems: "This interpretation, restated time and again, became a part of the life of the people of many of the states and confirmed their habits, customs, traditions and way of life."

One may argue that the custom is wrong and still know that no court can change a people's thinking overnight; the Supreme Court recognized that when it handed down the ban on segregated schools. And it can be dangerous to try to force that change immediately on an unwilling people.

The statement of principles is a reminder of that danger, just as it is a reminder that the Supreme Court decision it attacks also called for understanding and restraint on both sides.

THE WALL STREET JOURNAL
Wednesday, March 14, 1956

TO ALL EDITORS: Thanks for tear sheet showing how this was used.

TO THE PUBLIC: The Desegregation Decision has made the question of States' Rights and the limitations on federal power of paramount importance. The Supreme Court has decreed a law that did not exist before. The only check against an unconstitutional act by the Supreme Court is that of the states, under the Tenth Amendment, which specifically reserves undelegated powers to the states.

Roscoe Pound, the eminent Dean Emeritus of Harvard Law School, in an introduction to a great new book, "The Forgotten Ninth Amendment," by Bennett B. Patterson, says:

"Where rights are defined and secured expressly by the Constitution, there is simply a question of interpretation. But where rights not declared in terms are 'reserved' there is a question as to where the power of defining them, and where is the power of securing them when defined. The Tenth Amendment seems to preclude definition and enforcement by the federal government except as committed to that government by the Constitution. . . ."

The Constitution does not give the Supreme Court the authority to legislate. Therefore, when it, in effect, legislates, it acts unconstitutionally and is subject to challenge.

Send for and study Robert H. Kelley's able statement on "States' Rights," Spotlight E-341; 4 copies free; 40 for $1; more, 2c each. Send also for Homer Dodge's Spotlight E-340, which shows the alarming effects of "Forced Integration" upon the public schools of Washington, D.C. 4 copies free; 40 for $1; more, 2c each.

Distribute this Spotlight E-344 widely among fellow workers, civic leaders, editors, educators, clergymen, opinion molders in your community. Express your opinion to your representatives in Congress, sending along a copy of this Spotlight. Get others in your circles to do likewise. 4 copies free; 40 for $1; more, 2c each.

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From Southern States Industrial Council, Nashville 3, Tennessee
For Release: March 25, 1956 No. 38

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

THE SOUTHERN MANIFESTO

The people of the South are proud of the nineteen Senators and eighty-two Representatives who signed the Southern Manifesto on segregation; they are very much ashamed of those who were offered an opportunity to sign it and did not do so.

In signing this statement, these Congressmen displayed courage and patriotism of a high order. While the statement is directed to the question of segregation, it is really much broader than that. It actually embodies in its thought and philosophy all the principles and traditions which the South has cherished for generations. It makes clear the continued adherence of the South to that basic principle of our constitutional republican form of government -- the principle that all rights not granted to the federal government are reserved to the states and to the people.

The statement is a scathing denunciation of the Supreme Court -- not because the signers do not respect the Supreme Court as an institution but because the present members of the Supreme Court disregarded all judicial precedent and reason and at the same time attempted to usurp the power of the Congress.

The signers of the statement recognize something that the members of the Supreme Court apparently do not recognize; namely, that final power in a free nation resides in the people. The people generally are reasonable -- and this was a reasoned statement -- but they know that when any one branch of the government oversteps its bounds, then they must take action to remedy the situation.

This was the situation in the case of the Southern Manifesto, when it was made clear that it was the declared intention of 102 members of Congress, representing almost one-third the people of the nation, to oppose the integration decree of the Supreme Court. That it was a reasoned statement is clearly shown when it stated that the opposition would be carried on "by all lawful means." It is expected that these

lawful means will be found.

Those few dissidents in the South -- in the Congress and among the people -- who do not concur in the Manifesto are apparently guided by some very fuzzy thinking. For instance, they will say, "If the Supreme Court has said it, it is the law of the land and there's nothing that can be done about it. Don't you believe in abiding by the law?"

The answer is, of course, that the people of the South do believe in abiding by the law, when this law is based on all judicial precedent that has gone before it and when it does not violate this precedent by being based on sociological and psychological textbooks written by left-wing sympathizers, as was the case in the integration decree.

To say that the people should not object to such a decision as this one, however, is in violation of all sense of reason and decency. Suppose we had a president who decided suddenly to take to himself dictatorial powers! Would the people stand aside and say, "Well, he is president and we should respect our president." No, we would at the very least take "all lawful means" to oppose the establishment of a dictatorship.

Nor is it reasonable to advocate adoption of integration through moderation -- not if the people of the South, as stated in the manifesto issued by their representatives in Congress, believe it is wrong. If integration is wrong, then it is no more right to adopt it gradually than it is to adopt it all at once. That is the way evil too often gains ground -- piecemeal.

What we need now is a return to reason. The present strife and bitterness was all so unnecessary. It was all brought on by an unreasoned decision on the part of the Supreme Court and an effort by hotheads to force immediate integration -- very similar to the factors that brought on the War Between the States. Slavery was a dying institution by the middle of the Nineteenth Century and would have worked itself out if let alone. Race relations in the South were at their most favorable peak two years ago and would also have worked themselves out if let alone.

It is very much to be hoped -- for the welfare of the whole country and for the best interests of all races -- that the reasoned judgment of reasonable men, as set forth in the Southern Manifesto, will bring the nation to its senses.

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: August 19, 1956

No. 59

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

BOYCOTTS CAN BACKFIRE

Some time back we wrote an article to the effect that the Kohler strike is everybody's business. That statement holds just as good today, if not more so.

The fundamental issue in the Kohler strike in the beginning -- and it began 28 months ago -- was compulsory unionism. The union demanded a union shop. The management refused to force union membership upon those workers who did not want it.

This is a question of compulsion against freedom of choice. That is why the strike -- and all similar strikes -- is everybody's business, because whether or not we maintain the right of the individual to get and hold a job and make a living without being forced to pay dues for the privilege of doing so will determine whether or not we remain a free people.

As the strike wore on, it became also a question of anarchy against law and order. There were acts of great physical violence on the picket lines against those who wanted to work and hundreds of incidents of violence and vandalism away from the picket lines. This, also, is everybody's business -- if anarchy can prevail, then we no longer have government by law but government by force.

While the union, to all effects and purposes, has now lost the strike, and the company is again operating, the union has not quit the struggle to wreak vengeance upon the company. The U.A.W., acting under the facilities of the merged A.F.L.-C.I.O., has poured millions of dollars into the strike, and if it cannot break Kohler on principle, it wants to do so economically.

So now all the force of organized labor is being poured into an effort to boycott the purchase and use of Kohler products, to get local unions all over the country to refuse to install, or "slow down" in the installation of, Kohler products,

to get labor-dominated public officials to support the union in this effort.

The union is getting and will naturally get lots of support from local unions throughout the country; it is getting, and may get more, support from public officials who operate under the thumb of labor-boss domination. For instance, the town councils of Waterbury and Ansonia, Conn., and Boston, Mass., and the General Assembly of Massachusetts have passed resolutions requesting contractors not to use Kohler products on public jobs.

This could be a very serious situation if the people of this country do not awaken to its danger. If organized labor can be allowed to destroy a company and the jobs of all those connected with the company, then we are no longer a free people, and life, liberty and the pursuit of happiness are no longer "unalienable rights."

The trouble, though, is that the unions are highly organized while the people are not. The unions are in position to enforce economic strangulation while the people generally can do nothing about it except by spontaneous action and by relying upon their public officials to enforce the law and act in the public welfare.

But we believe the people will react -- and in a manner that will be quite surprising to the unions. We do not believe the people generally -- and it must be remembered that three-fourths of the workers in this country do not belong to labor unions -- will stand for labor dictatorship, for vengeful and arbitrary destruction of property and jobs. While some of our people no longer operate under the concept of freedom which inspired our forefathers who founded this nation and established the government under which we live, it is to be believed that the great majority of the people still believe in these principles. If the facts of the Kohler strike were presented to the people of this country for vote, there can be no doubt but that they would overwhelmingly support the stand taken by the management of the company as opposed to that taken by the union leaders.

Certainly, management must rally to the cause, must protect the investment of the stockholders and the jobs of those who want to work. This is not a one-company fight; it is a common cause. We already know of one concern in Louisville, Ky., that has ordered its purchasing department to buy nothing but Kohler products; it has also instructed that nothing be purchased in the cities and the state mentioned that can be bought elsewhere. This should impress both the unions and the politicians that boycotts can backfire!

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: September 16, 1956 No. 63

SENSING THE NEWS

Segregation

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

"THEY HAVE SOWN THE WIND . . ."

It is tragic that communities in two of our Southern states -- Tennessee and Kentucky -- must have order enforced at the point of machine gun and bayonet. It is even more tragic when one realizes that this military rule was brought on by a decision of the Supreme Court of the United States that should never have been handed down in the first place.

When the Supreme Court ruled in 1954 that separate but equal facilities for Negroes in the field of education were unconstitutional, it disregarded all judicial precedent and based its decision on sociological and psychological textbooks written by left-wing sympathizers. It thus not only violated all established legal precedents but also violated all the customs and traditions of a great region of the land.

Enforcement of this ruling presaged tragedy from its very inception. What we have seen thus far in Clinton, Tennessee and Sturgis, Kentucky is only a mild sample of what well might happen. The Governors of these two states said they did not send troops into these communities to enforce integration but to enforce law and order -- and of course law and order had to be enforced or anarchy would result.

But the actual effect of sending in the troops was to enforce integration as well as law and order, regardless of the intention, and the people generally know it. The citizens of these communities and these states -- as would be the case in all the states of the South -- resent integration and they resent integration being forced upon them by their fellow-citizens armed with all the accoutrements of war. Integration is a great social question that a free people are not willing to have decided for them by either military rule or Supreme Court decision.

Resentment has now flamed so high that we have seen a mass-meeting of the citi-

zens of a Kentucky community pass a resolution to impeach the Governor of the state. Actually, of course, these citizens missed their mark. They should have called for impeachment of the members of the Supreme Court. These are the men who started all the trouble and they should be made to bear all the blame.

Of course, the Governors might have provided more leadership in passing state laws that would have headed off integration of schools in their respective states; that is, assuming they are in favor of segregation and assuming state laws can head it off. But this is also a responsibility of the state legislatures, who have the power, if they wish to do so, to pass such laws with or without the aid and influence of the governor. This they can still do.

"They have sown the wind, and they shall reap the whirlwind," says the Bible, and it is to be feared no better illustration of the truth of this statement shall ever be witnessed in the history of our country than the Supreme Court's ordering of integration. Clinton, Tennessee and Sturgis, Kentucky are just two stray chickens that have come home to roost. What will happen when the whole flock returns?

If the members of the Supreme Court had the wisdom that their position demands, they would have known the inevitable effect of legislating upon the social customs and traditions of the people. They would also have known what many other people did know, and what is now being graphically demonstrated in localities where it has been imposed, that the results of integration -- even if it were finally enforced -- were bound to be socially and morally undesirable. It really makes both races unhappy.

We need go no farther than the capital city of Washington to find this out. The Nation's capital has now become a "black" city, with two out of three children enrolled in the public schools being Negroes, with the white people moving out of the city in great numbers, with the level of learning in the schools steadily decreasing and comparing most unfavorably with the average in segregated schools, with a practical cessation of social and extra-curricular activities in the schools -- and with crime generally being on the increase. This is not a pretty picture of the capital of our country and not one of which the people can be proud -- but there it is. If the members of the Supreme Court can get any satisfaction out of it, they are welcome to it.

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: October 14, 1956 No. 67

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

UNION CAPITALISM

We are now witnessing in this country what might be called the paradox of union capitalism. Some of the unions have become so rich that they operate their unions more like a bunch of "rich capitalists" conducting business than a group of "underprivileged workers" seeking benefits.

Maybe this is all to the good. There has always been an old admonition to the effect that if you can't whip 'em, you ought to jine 'em. But as applied to unions and capitalism, especially in the case of the United Mine Workers, it is hard to tell who is whipping and who is jining!

Rather quietly and without much fanfare, a new contract has been signed between the coal operators, northern and southern, and the United Mine Workers granting a wage increase of $2.40 per day in cash and fringe benefits and thus maintaining the rank of the miners as the highest paid workers in the country. They get $1.20 per day of the cash immediately and 80¢ on next April 1st.

Of course, almost immediately thereafter the coal operators announced a minimum increase in the price of coal of 35¢ per ton, with certain coals, depending upon quality and location, probably advancing as much as 50¢ per ton.

All these increases, like similar increases in other industries, such as steel and aluminum, will of course be passed on down the line, eventually resulting in higher prices to the consumer. Since everybody is a consumer, everybody must get similar income increases in one way or another or he will come out the loser in the general movement. The chances of a great many people doing this are of course very slight -- and thus the burden of inflation continues to bear down heavily on those who have no way of protecting themselves.

But what we started out to show in this article is the metamorphosis of John L. Lewis and the United Mine Workers, which is really one and the same thing, as they have become wealthy over the years. Whereas John L. used to rave and rant about the economic royalists, the princes of privilege and the captive coal mines, he now acts more like the chairman of the board of a big industrial corporation reporting to his stockholders.

And in many ways, that is really the situation. A few financial items, as gathered from Mr. Lewis' report to the United Mine Workers convention at Cincinnati the other day, will illustrate what we mean.

The treasury of the United Mine Workers now has a balance of more than $24.6 million, "exclusive of other sound investments yielding substantial returns."

Income of the union itself is running about $12 million a year, with expenses listed at about $10 million.

The Miners Welfare Fund has a current reserve of $130 million. Of this amount, about $4 million is invested in the stocks of public utilities -- which are the greatest users of coal -- and the balance in Government bonds.

The Union has now organized a shipping firm to promote export of coal, receiving permission from the Federal Maritime Board to charter 30 Liberty ships from the Government's moth-ball fleet. The firm was capitalized at $50 million by the Union, seven coal operators and three railroads.

Two or three years ago, the Union got control of two banks in Washington, D. C., merged them in 1954, and the bank, now one of the largest in the city, has assets of more than $260 million.

Just think -- the Mine Workers union in the public utility, the shipping and the banking business! But, as we say, this may be all for the better. The autocratic and dictatorial Mr. Lewis of old, who used to periodically threaten the very welfare of the nation, seems to have been replaced by the wiser Mr. Lewis of today, who favors mergers of coal companies in the interest of efficiency, more mechanization and thus greater production per man hour. And, it might be added, no strikes -- so long as he can get what he wants without them!

This is at least much better than the attitude of the labor leaders of Great Britain in the same industry, who opposed all these things. The result is graphically illustrated in the fact that U.S. production of coal now is nearly 11 tons per man per day as against 1½ tons in Britain.

To all Editors, Columnists, Commentators — for IMMEDIATE RELEASE as feature article, letter-to-editor, or as background material for editorial writers.

CCG spotlight for the nation NATIONAL ISSUES

LABOR MONOPOLY RESTS ON VIOLENCE*

By DONALD R. RICHBERG

Distinguished attorney, author, former General Counsel and Chairman of N.R.A., co-author of the Railway Labor Act and for years conspicuously identified with governmental administration policies.

No. F-375-6

The monopolistic powers of American labor unions are not revealed by statistics of total membership. Otherwise it might be assumed that 17,000,000 unionists could not monopolize employments filled by over 50,000,000 industrial workers.

But a different picture is presented when key industries are viewed. Over 1,400,000 unionized automobile workers can paralyze not only a major industry but scores of other industries dependent on automobile manufacturing. Over 1,300,000 union teamsters can not only stop vital transportation to advance their own interests, but can, and do, aid scores of small unions to force their demands on employers dependent on teamster hauling.

Over 1,250,000 steel workers have proved their ability to halt all production of products most essential to continued economic health. Six hundred thousand mine workers can, and have, shut down the coal industry even in a time of war. Even smaller unions of longshoremen, building workers, electrical, textile and garment workers, printing and telephone employees, and others too numerous to mention have demonstrated a capacity to exercise monopoly controls over local, sectional or national industries.

The simple fact is that all unions seek monopoly powers so they may transform collective bargaining into collective coercion and compel the acceptance of demands for wages and working conditions which would never be agreed to voluntarily. This is not the demonstration of a special wickedness among union officials. It is a natural ambition common to all human beings to relieve themselves of the uncertainties and losses of fair competition by acquiring a power to make others yield to force when persuasion fails to achieve one's selfish aims.

The only way a free economy can be preserved is for the Government to write and enforce laws preventing and prohibiting the acquisition and use of monopoly powers by anyone. Contrary to this clear obligation upon our Government, labor unions have been granted special aids to become monopolists and a special exemption from prosecution under the anti-trust laws.

The reason for this extraordinary favoritism is found in a once widely approved effort to build up the power of labor unions as a counterforce against the inherently monopolistic powers of big business. Against business monopolies there were 25 years of intensive public education by political leaders from John Sherman to Woodrow Wilson. A deep-seated antagonism to big business monopolies was developed which has been kept vigorously alive ever since by politicians ranging all the way from statesmen to demagogues.

But, from the time of President Wilson, and the passing of the Clayton Act exempting labor unions from anti-trust prosecutions, there has persisted the illusion that labor union monopolies were desirable and not, like business monopolies, destructive of a free economy. This illusion has been so prevalent that the AF of L and CIO even had the audacity to argue in the Supreme Court that monopoly power was the proper and ideal objective of all labor organizations although obviously a sinful objective for any business organization.

Before discussing further the fallacy of this idea, which even the Supreme Court described as "startling," let us consider just how this growth of monopoly power has developed. Thereby we may see more clearly the weak spots in the law and in public opinion that have supported the rise of centralized economic power in labor unions to unprecedented and intolerable heights.

Statistical indications have been given of the present size of labor unions controlling our most vital industries. But, to show how recently and how rapidly these union monopolies have developed, one more astonishing statistic should be recorded. The total membership of all labor unions, according to Department of Labor estimates, was less than three million in 1933 and over 17 million 20 years later. Most of this rise came from 3,700,000 in 1935 to 14,800,000 in 1945. It is obvious

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that the enactment of the Wagner Act and its favorable administration for ten years were largely responsible for this extraordinary expansion of membership.

Thus we have the clearest evidence that Government aid played a large part in the growth of the present labor monopolies. Perhaps a most revealing story of how monopoly control has grown in one of our most vital industries has been written by the railway labor unions. These are often regarded as exceptionally reliable, conservative and independent labor organizations. Yet it is commonly forgotten that all of them except the four transportation brotherhoods are really national AF of L unions. Such are, for example, the electrical workers, machinists, sheet metal workers, carmen, clerks and telegraphers.

The railway unions were the first to obtain the valuable aid of a Federal law in the Railway Labor Act enacted in 1926. As a pioneer document, of which I was the chief draftsman, let me call attention to the all-important principle of reciprocal rights and duties for employers and employees written into that law. It provided, as a result, an instrument of peace, not an encouragement of strife.

I may add here a personal note that it was the one-sided bias of the Wagner Act enacted nine years later that caused me to withdraw from its drafting and to continue to this day to be a persistent opponent of that sort of class favoritism in legislation.

The Railway Labor Act did not provide an invitation to labor to monopolize all the employments in an industry. Indeed it appeared to have left the door open to considerable employer influence in labor relations; so that in 1934 the unions sought, and obtained, amendments more severely restricting employer interference or coercion in the selection of representatives or conduct of collective bargaining. But even the 1934 amendments preserved many protections of employers from abuses of power and arbitrary strikes by the unions. The law clearly forbade not only company unions but also monopolistic union shop contracts.

Under this Act, as amended in 1934, the railway unions grew and prospered for 17 years with nothing but a few abortive and brief strikes to mar a record of industrial peace which has no parallel in a major American industry. The unions meanwhile increased their numbers from a total of less than 500,000 members in 1935 to over 1,700,000 in less than 20 years. Yet in 1951, greedy for more power and revenues, they persuaded Congress to amend the Railway Labor Act to permit them to use employer coercion through union shop agreements to compel all railway workers to join a union or lose their jobs.

This demand for compulsory unionism, which is now prevalent throughout organized labor, is the strongest evidence of the monopolistic purposes of the unions. The railway unions, for example, did not need to conscript a small percentage of non-union employees in order to have union security. Their witnesses testified before Congress they had ample bargaining power with a law that gave the majority representative the privilege of binding all minorities by a trade agreement.

George M. Harrison, President of the Clerks and chief labor witness, testified that the unions held over 4,400 contracts on 99 per cent of the railway mileage. The main reason they gave for demanding compulsory unionism was that they wanted not only dues from everyone, but also more power to discipline all members.

In pressing their compulsory legislation in Congress and later before a Presidential Emergency Board, the unions assumed to themselves a right to exercise governmental powers over a society of workers exactly in accord with their arguments in the Supreme Court in 1949. Harrison told Congress frankly that he wanted compulsory membership, not only to bring in new members and their dues, but also to increase his power of discipline over old members. In the same vein, he later complained to the Emergency Board that he had to police an organization of 300,000 persons without the police powers which the government of such a large city would exercise. Now think of the police power given by compelling all workers to join a union and pay it tribute and submit to its discipline or else lose their livelihood!

The same arrogant desire for governmental power was boldly explained to the Supreme Court a few years previously when the AF of L brief opposing state right-to-work laws made these assertions:

'The worker becomes a member of an economic society when he takes employment. . . . The Union is the organization or government of this society formed by the right of association. . . . It has in a sense the powers and responsibilities of a government."

This concept of labor unions as the government of an economic state, within and dominating a political state, is one which has grown and blossomed with the growth of monopolistic powers which are not only tolerated but actually fostered by our political governments. It is most surprising, however, that the socialist, totalitarian-minded labor leaders of the present day still regard themselves as devoted to a democratic form of government supported by and supporting a competitive system of free enterprise.

They will in one breath denounce all competition between workers, proclaiming and exercising monopoly powers, and in the next breath denounce business monopolies. In the same AF of L brief, from which I have quoted, the argument was made in one paragraph that "workers cannot thrive but can only die under competition between themselves," and they must have "the right to eliminate wage competition," but businessmen must not have "the right to eliminate price competition."

Just how price competition is to be maintained, when labor monopolies dictate to entire industries labor costs, production standards and every vital element that determines prices, cannot be easily explained. But we might call attention to the coal industry, where a labor dictator, exercising complete monopoly power, established a three-day work week by fiat and, with no appreciable opposition,

has fixed for years all the wages which absolutely determine the price of coal.

A distinguished political economist, testifying before a Senate committee investigating labor monopolies (Dr. John V. Van Sickle, Feb. 23, 1950), flatly asserted: "Big labor threatens American capitalism." He acknowledged that "big business collectivism in industry compels an ultimate collectivism in government." In other words, the product of private monopoly is a demand for Government monopoly, which is socialism. Dr. Van Sickle continued:

> *"It is equally true that big labor collectivism also compels collectivism in Government. Indeed the threat from the side of organized labor is greater than that of the side of business for the simple reason that organized labor's power is vastly greater than that of business. The owners of vital private businesses would never dare expose the public to the hardships to which they have been repeatedly submitted by powerful national unions, not merely in times of peace, but in times of war, when our national existence was at stake. Morevover, the competition of substitutes and the march of technology drastically limit business' control of the market. Business does not now possess, and never has possessed, the crippling power that organized labor possesses and uses."*

Here is a plain and scientifically accurate statement of a menace which was confronting the American people when this statement was made over six years ago. This menace has grown greater with every passing year. The menace of labor monopolies to a free economy, to the maintenance of a competitive system of free enterprise—indeed, the menace to maintaining a free government of a free people—is much more evident and threatening today than six years ago. Yet there is no more likelihood today than in 1950 that necessary and obvious Government action will be taken to curb further advances and agressions of these ever larger and stronger private monopolies.

Today we are faced with a recent merger of the two great labor federations, the AF of L and the CIO, for the declared purpose of limiting competition between them.

Today we are faced with sweeping demands that the right of labor unions to impose compulsory unionism be accepted and that all state and federal laws sustaining the constitutional right of a worker to refuse to join a labor union be repealed.

Today we hear loud threats that, unless politicians become more subservient to labor demands, they will be defeated and replaced by more labor puppets than now disgrace our public offices.

Today we find big labor supporting every program for bigger and bigger Government with only one qualification: that big labor remain the one dominant element in our society which by legal and illegal exemption from the criminal laws can exert a coercive power over us greater than that of Government.

The exemption of the biggest monopolies in the nation from subjection to the anti-monopoly laws is particularly harmful because, in labor unions, we find combined the coercive powers of economic violence and physical violence. The economic coercion in fact rests largely on the physical coercion without which labor demands could not be enforced. Despite notorious exceptions, we hear much less nowadays about physical violence in strikes than a few years ago. This is because the techniques of mass picketing, injuring, assaulting and intimidating opponents of a strike have been so well worked out and so universally free from Government restraint or punishment that they need to be used only rarely. In most instances, when a strike is called, there is either immediate submission to the union demands or submission to the absolute stoppage of production in accordance with union orders.

A modern strike becomes, accordingly, largely a trial of financial strength: how long can the employer endure his losses? how long will the workers endure their losses? Sometimes the question is: how long will the public injuries be tolerable? But do not for one minute think that peaceful strikes would succeed if there were not behind the union's peaceful activities the threat of reckless violence if that should become necessary to prevent the employer from filling the jobs vacated but not abandoned by the strikers.

> *The so-called right-to-strike is not in fact simply the right to quit a job. It has been well described as the right to hold a job while not working at it, the right not only to stop working, but also to prevent any other person from taking the striker's job.*

That is why the foul shape of terrorism is always lurking in the shadows behind the most peaceful appearing strike. If any real effort is made by employers to keep operating and by willing workers to work despite a strike ban, then suddenly appears crude violence in support of the strike—always hypocritically disavowed by the strike leaders.

> *But dynamiting, stench bombing, train wrecking, cable cutting, physical assaults and intimidation of would-be workers and their families do not happen by mere coincidence as spontaneous outbursts of individual violence. They are part and parcel of the mass picketing, the auto smashing and similar organized lawlessness which are conceded to be authorized strike activities.*

The fragmentary and inadequate newspaper reports of recent strike violence against the Louisville and Nashville, the Southern Telephone Company, the Perfect Circle plant, and the Kohler Company should have at least made it plain that terrorism lurks behind every strike threat, even by the most respectable and comparatively law-abiding unions. It should be doubly plain why such organizations, with extensive open records of law-defying violence, seldom need actu-

ally to begin a terroristic program. The strike call itself is enough to warn any opposition of the wrath and ruin that will follow any attempt to break the strike.

There is no mystery about the source or existence of labor union monopolies. They are born out of legalized power of lawless violence.

The opinions of the Supreme Court are full of criticisms and helpless rebukes of labor union lawlessness. One opinion years ago pointed out that the law it was laying down permitted labor unions in combination with business groups "to shift our society from a competitive to a monopolistic economy." "But," said the Court, "the desirability of such exemption of labor unions is a question for the determination of Congress."

There is no tough riddle in the question: how can these monopolies be curbed and these monopolistic powers be destroyed? The answer is a simple one:

First, subject labor union monopolies to the same prohibitory laws and remedies which are enforced against business monopolies.

Second, subject the criminal lawlessness by which strikes are maintained to the same Federal and state criminal laws that are enforced against assaulting, maiming and killing, terrorism, and destruction of property, when they occur anywhere except in a labor dispute.

It isn't the difficulty of this problem—of analyzing and solving it—that prevents a solution. It is simply the political, financial and corrupting powers of the labor union oligarchies that stifle every effort to end or even to check their monopolistic controls over industry. There are comparatively few closely allied labor bosses in control of 17,000,000 harshly disciplined unionists. Their organizations are financed by an annual minimum of half-a-billion dollars regular dues. They are able in emergencies to raise millions more for propaganda, and political contributions that too closely resemble plain bribery.

These lawless aggregations are supported by thousands of well-meaning, deluded people, as well as by hundreds of thousands of half-socialists, who regard labor unions as a great democratic opposition to what might otherwise become a tyrannical conspiracy of big business operators to exploit the people. Contrary to this delusion, the American people are actually being exploited today as never before by labor union monopolies exercising arbitrary and often very foolish controls over a free enterprise system to which they profess devotion, but which they are actually fast destroying.

To write an article like this seems to be like crying in the wilderness. But to one who grew up with the labor movement and did all he could to aid in the development of strong, responsible, democratic labor unions, there is such a tragedy in this super-growth of labor bossism into menacing national monopolies that the least I can do is to cry aloud, even in a wilderness of confused miseducated public opinion.

TO ALL EDITORS: Thanks for tear sheet showing how this was used.

TO THE PUBLIC: At long last, through the revelations of abuse of power by the heads of labor monopolies, public opinion is turning and there may be a chance for legislation that would take from unions their unfair, privileged position.

What shape such legislation can take must now be considered:

A. Incorporation, compulsory open accounting, such as is now required of banks and corporations, so that union members may know what becomes of the funds they contribute.

B. Abolition of compulsory unionism, giving the right not to join as well as the right to join.

C. Subjecting unions to the provisions of the Sherman Anti-Trust Law and prohibiting nation or industry-wide collective bargaining.

D. An amendment to the Constitution providing that the power of Congress to regulate commerce with foreign nations and among the states shall extend only to sale, exchange, transportation, transmission or communication of goods, persons or intelligence and shall not extend to the relationship between employer or employee, or to the conditions under which such goods are produced within a state or the price charged therefor.

It is the Commerce Clause, misinterpreted by the Supreme Court, that has very largely provided the basis for the Federal Government's encroachment upon the powers and duties of the states. Under this interpretation of the clause, nearly all labor, business and agriculture has been subjected to federal regulation and the power of the states to regulate commerce within their boundaries has been usurped.

The remedy is a much-needed constitutional amendment, which might be phrased as follows:

> "The power of Congress to regulate commerce with foreign nations and among the several States shall extend only to the sale, exchange, transportation, transmission, or communication of goods, persons or intelligence, and shall not extend to the relationship between employer and employee or the conditions under which such goods are produced within a State, or to the prices charged therefor, or to the carrying on of any business by the Federal Government directly or indirectly."

Just off the presses of the Henry Regnery Company of Chicago is a book by Donald R. Richberg, giving more complete information on the subject of "Labor Union Monopoly — A Clear and Present Danger," 178 pages. We will supply this book at $3.50 per single copy, postpaid anywhere, or you can secure it from your local bookdealer.

Also available, we have John W. Scoville's "Labor Monopolies OR Freedom," of which we distributed 250,000 copies to ready national public opinion for the preparation of the Taft-Hartley Act; price $1 per copy, postpaid anywhere; 3 copies for $2; more at 60c each.

When the bosses of labor unions denounced the Taft-Hartley Act as a "slave-labor Act," we — to inform public opinion — engaged Irving G. McCann, who as attorney for the House Education and Labor Committee helped in the preparation of the Taft-Hartley Act, to write a book explaining the reason for its various provisions. This is available under the title, "Why the Taft-Hartley Law?" Price per single copy, $1; 3 copies for $2; more at 60c each, postpaid anywhere.

This SPOTLIGHT by Mr. Richberg is timely and important and merits wide distribution. Your help is needed. Distribute this SPOTLIGHT to fellow workers and shareowners, to business associates, to your banker, service clubs, men's societies in churches and to others having wide influence. 2 copies free on request; more at 4c each. Single Spotlight subscription, 104 installments, $12; 2 to 8, $11 each; 10 or more, $10 each.

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T.A. ed. - Title

WHERE PEOPLE CAN VOTE FOR THIRD-PARTY TICKET

STATES' RIGHTS CANDIDATES WILL BE ON THE BALLOT IN 14 STATES:

Alabama, Arkansas, Iowa, Kentucky, Louisiana, Mississippi, New Jersey, New Mexico, North Dakota, South Carolina, Tennessee, Texas, Virginia, Wisconsin.

WRITE-IN VOTES FOR STATES' RIGHTS CANDIDATES WILL BE COUNTED IN 23 OTHER STATES:

Arizona, California, Connecticut, Florida, Idaho, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, West Virginia, Wyoming.

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: October 28, 1956 No. 69

AR-6-4512

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

THE THREE PARTIES

Until recent years we have traditionally had a two-party system in this country. But we have also traditionally had two parties that had directly contrasting views with regard to certain fundamental issues and by voting for one party or the other the people were able to make a real choice, depending upon their own political philosophy.

This condition has been changing. In 1948, many people did not see much choice between the Republican and Democratic parties. This was particularly true of the people of the South, and the States Rights party which entered the field that year carried four Southern states and got a great many votes in other states. In 1952, the people generally believed they had a real choice again as between the political philosophies of the two major parties, and the third-party question did not arise. It was notable, however, that four traditionally Democratic states in the South went Republican, thus indicating a choice on their part of what seemed to them to be the Republican philosophy of government.

Now, four years later, in 1956, we find ourselves back in the position of 1948, and even more so. Again many people do not feel they have a real choice as between the Republican and Democratic platforms, and again we find ourselves with a States Rights party in the field.

This time, though, the States Rights party finds much broader support than just in the South. In the 1956 election, States Rights candidates will be on the ballot in 14 states, 5 of them being in the north and west. In 23 other states, write-in votes for States Rights candidates will be counted, and these states are scattered all over the country.

Actually, there is quite a lot to choose from as between the Republican and Democratic philosophies of government, as these philosophies are portrayed and expounded during the current campaign.

The most pronounced difference, of course, is on the question of fiscal policy. Both parties propose to do a lot of things that would cost the Federal Government a great deal of money. The Republicans, however, propose to do these things within a

balanced budget, saying that to run a deficit would invite more inflation, and this they repeatedly promise to avoid. The Democrats, on the other hand, do not say how they intend to get the money to pay for these things, and they constantly skirt the question of a balanced budget. As a matter of fact, the Democratic platform promises a sizable tax reduction while still calling for all these costly activities, a statement which seems paradoxical in fact and the accomplishment of which would seem miraculous if performed.

In the field of social welfare legislation, as related to the differences over fiscal policy, there is also a contrasting attitude of sorts. For instance, in the case of federal aid to education, while both parties favor it, the Democrats clearly want the main burden to fall on Washington, while the Republicans say it should be on the state and local governments and that Federal aid should be supplementary where local means are lacking. There is also a difference of degree in the program for agriculture; the Republicans want flexible price supports while the Democrats favor higher and rigid supports. Labor policy is another point of difference; the Democrats want to repeal the Taft-Hartley Act, while the Republicans would simply modify it to some extent.

There is, therefore, a choice, in degree if not absolutely, as between the two major parties -- provided one is satisfied with that choice.

There are many, however, who are not satisfied, and that accounts for the rising of a States Rights party again for this election. The philosophy of those backing this movement is indicated in the name of the party they support; namely, that government should be left largely in the hands of the states and not centralized in Washington. They are pronounced in their views on points where the two major parties are not; they would leave racial problems to the states, block federal aid to education, prohibit compulsory unionism such as the "union shop", desocialize agriculture, limit the President's power to make treaties, avoid world government and bring an end to foreign aid, and in general "reverse the trend toward socialism" which they think is indicated in the political philosophies of both the major parties.

We can all be thankful that we still have free elections and the right to vote in this country -- and each one of us has the right to make his own choice as he goes to the polls on November 6th.

States Rights

The WAR
Against Our National Guard

by
Karl Hess

WHAT WOULD HAPPEN if a President someday got the idea that he was tired of putting up with interference from the 48 sovereign states? What would happen if he suddenly decided to impose some Federal tyranny upon the people of one or more of those states?

Because Presidents have no built-in guarantee against abusing the spirit of the Constitution, the answer to the question has to be based upon something with the palpable force of a bayonet and the spiritual force of this Republic's concept of sovereign peoples.

As it happens, there are 52 good reasons why a Federal abuse could be stopped dead in its tracks. They are the 52 National Guards of the States, Territories and the District of Columbia. Although each of the Guard units *has* a Federal role and although each is liable to Federal control, each one has the practical effect of being the Army of a Sovereign State.

In the realm of political hypothesizing, the National Guard units are the shields of individual sovereignty. With them, no matter how farfetched it may sound, every state has the potential power to resist, with force, an unbearable incursion of the Federal Government. Without them, the sovereignty of the states would be, quite literally, worth only the paper the words are written on.

Unfortunately, most Americans either belittle or never think of that fact. If they did think, they might be concerned about some things that have been happening to the Guard and which, without vigilance, will continue to happen. As it is, there is some awareness of continual discussions of changing the Guard, but there is little apprehension of the full ramifications of those changes. The changes often seem mere technicalities. Potentially, they are far from it. They are deadly!

The most dangerous misappre-

Fom The American Mercury, November, 1956

AMERICAN MERCURY
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hension is in an oversimplification of the most frequently debated National Guard issue: should there even *be* a Guard or should all soldiery in the nation be part of the Federal force, and the Federal force be the *only* one?

THERE ARE conscientious and scrupulously honest officers in the regular military services who are dead set against spreading our resources between the regular military and 52 Guard forces. They want all their eggs in their own basket at all times, to scramble as and when needed. If, as a matter of fact, they were the only ones to worry about, there probably wouldn't be much cause for alarm about attempts to change the Guard.

But those officers, the professional military men, are *not* the rulers of our military life. Paradoxically, it is the very system that gives ultimate control of the military into the hands of civilians that also makes the military a prime target and, indeed, an essential target for anyone whose mission it is to subvert this nation. Through the military, of course, physical control can be exercised over a citizenry that is always being subjected to pressures to disarm itself. But, more subtly, the military can be one of the greatest of all factories for indoctrination of citizens, particulary young ones, into special ways of thought and outlook.

Now the picture takes on new shadings. It is not simply a struggle for military purposes that represents the full implications of efforts to change the Guard. There can be political and ideological colorations.

First of all, the National Guard represents traditions in the best sense of American history. Although the units vary in background and current activities, they are, by and large, reservoirs of pride and patriotism at a grassroots level. They are substantial buffers against efforts to replace traditional ways with "progressive" ways in which there is no place for pride of land and reverence of the past.

Franklin Roosevelt was one President who, apparently, decided to do something about this. Under him, and with the Second World War as a logical excuse, the Guard was tossed helter-skelter into a vast effort to replace America's old and storied military traditions with "progressive" notions of what was, in effect, a "people's army." Unit names were subordinated to mechanical-sounding numerical listings. Guard units that proudly had worn some flourish on their uniform for decades were stripped of distinction and drably made to conform to the mass ideal. Guard units that proudly carried history on their banners were broken up and scattered as widely as possible.

There was a military reason, of course, in that the Guard's trained

proposals, military training was just "one" item on the agenda. Social indoctrination or "orientation" was another and equally important item. Remember, too, the recruiting enticements of the past years. Except for the unshakable rock of our defense, the Marine Corps, the other services emphasized "joining up" as merely a device to learn civilian skills and have a good time.

The principle sort of public assault usually launched against the Guard was most glaringly evident in 1948 when a Committee on Civilian Components, under the then assistant secretary of Army, Gordon Gray, recommended that the Guard, both ground and air, be incorporated into a Federal Reserve Force. The effect, of course, would have been to yank the Guard out of the States and put it in Washington. Fortunately, Congress, which represents those States, has the final say on such matters. And its say has always been to keep the Guard intact, primarily to avoid creation of a totally centralized, Prussian-style military organization. The more subtle reasons beyond that haven't been debated.

Currently, however, there is another sort of difficulty facing the Guard. Under the new Reserve Forces Act, home-town Guard-type units of the Federal Reserve are being emphasized in nationwide publicity as the most satisfactory means by which young men may fulfill their military obligations The Guard has been pushed into the background by the fanfare. What Guardsmen would like to see, if the Reserve Act comes up for reconsideration (as it well may in 1957), is a provision that will put the Guard and the Reserve on an equal footing when it comes to allocating the men who, when they have finished regular service, must still participate in Reserve or Guard activities for a number of years.

Already, there is showing up in the Reserve program some of the ills to which a Federal force are subject in peacetime—but which Guard units can avoid. Officers concerned with the program in the Pentagon are getting ulcers trying to placate mothers by making the Reserve Act seem a sort of picnic arrangement, in which Junior will be scrubbed, loved, cherished and taught how to make beds, but never exposed to grit, grime or mean sergeants.

It is only a very short step from bending to pressure such as this to bending to pressures for "social orientation," such as was originally envisaged by some of the planners of a "peoples" style universal military service.

THE GUARD, by its nature, is not as susceptible to these pressures. Its tradition, under the Militia clause of the Constitution, tends to insulate it from the new, progres-

ness administration and cost accounting as well as with what "Mom" will think about training methods unless they are made "democratic" and comfortable. In the National Guard, by and large, there is more of a pre-occupation with training and with distinctly un-democratic efforts to instill discipline that comes from respect of and obedience to authority.

IT IS the "un-democratic" nature of the Guard, as a matter of fact, that also helps raise the hackles of those who stay up nights dreaming of tomorrow's egalitarian Utopias. Guard units tend to separate peoples into classes, in defiance of the classless society.

Unlike the Federal forces, which went through a demoralizing period in the early 50's in which officers were urged to "pal" with their men, there always has existed in most Guard units a rigid, old-fashioned "snobbishness" about rank—men seek it and work for it. It doesn't pay off in progressivism, but it does pay off in battle.

Even in a detail like getting into uniform for drill nights, the Guard creates a class apart—of men especially dedicated to their country. Contrariwise, the present Secretary of Defense, Charles Wilson of General Motors, recently asked that officers in the regular forces *not* wear uniforms on duty in Washington, so as to not appear a military class. Wilson would find such an order about as easy to get across to the Guard as he would making all its members drive GM cars.

There are other features of the Guard that similarly distract those who want to strip America of all military tradition and make military service a bad word, to be lumped along with prison, regimentation and other words which ignore the dedication of service to one's country.

Even in the palmiest days of peace, for instance, the Guard is a reminder that free men sometimes have to fight to keep that freedom and that, ultimately, a man with a rifle may be a more effective guarantor of freedom than an entire academy full of thinkers and wishers. Also, every day, the Guard armory in any given city, with its cannon on the lawn and its trucks in the drive, has just the opposite effect on "impressionable youth" from that desired by the sociologists who don't want even toy soldiers sold. Young men in the neighborhood who are being told how to march and obey orders are also not fitting into the "free expression" pattern desired by the most progressive social planners.

Lest anyone think that the use of a demoralized Federal military service to inculcate young Americans with vested ideologies is improbable, the early days of forging a Universal Military Training law for this nation should be recalled. As frankly stated in the

proposals, military training was just "one" item on the agenda. Social indoctrination or "orientation" was another and equally important item. Remember, too, the recruiting enticements of the past years. Except for the unshakable rock of our defense, the Marine Corps, the other services emphasized "joining up" as merely a device to learn civilian skills and have a good time.

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THE GUARD, by its nature, is not as susceptible to these pressures. Its tradition, under the Militia clause of the Constitution, tends to insulate it from the new, progres-

people were needed to help train others. But there also was another reason which many Guard officers thought they could detect behind the high sounding directives and orders. In order to pave the way for a future in which military tradition would be weakened—*as is precisely the case today*—the prides and hometown patriotisms of the Guard had to be assaulted.

WHEN the Korean War came along, the precedents of World War II made it easy to handle the Guard in a way that made Guardsmen groan. Instead of being used as units, some Guard outfits were repeatedly raided for personnel, without being moved in entirety. Such a unit as the 28th Division in Pennsylvania was reported to have been tapped six times for cadre personnel—each tapping draining off 10 percent of its troops.

Maj. Gen. Ellard A. Walsh, the able soldier who has been president of the National Guard Association through many of its toughest years, has summed up the practice of dissecting Guard units this way: "It is submitted that nobody can build up by tearing down, and certain it is there is something inherently defective in a military system which during two World Wars could now devise no better method for the organization of the Army of the United States, and now the U.S. Air Force, than deliberately to break up historic military organizations while at the same time comparable organizations were being brought into being completely lacking any service traditions and with no hint of maturity."

One of the fondest arguments used to justify efforts to disperse Guard personnel is that to fail to do so would mean cruel concentrations of casualties from single towns or states. And, admittedly, that could happen with, say, a hometown rifle company almost completely wiped out in a single assault.

But, again, there are other reasons which may have occurred to other minds in no way worried about family sorrow. Pride in a particular Guard unit is the sort of thing that leads to distinctly "unprogressive" resistance to efforts to internationalize a man's outlook. It is, in short, anti-social in the Progressive's lexicon.

From World War II onward, and with particular emphasis right now, there have been continuing attempts to "civilianize" or "demilitarize" the *armed* forces. These efforts, although somewhat successful where civilian Secretaries can exercise control, are made very difficult when faced with 52 separate armed forces. They may work in one state and fail in the next one, depending upon the actual personnel of the unit. In the regular armed forces today, there is a stultifying pre-occupation with busi-

sive purposes of Federal service. The Guard, in other words, can stick to its guns.

The Guard has no illusions, however, that its long years of service and tradition will always protect it from the assaults of those who, for one reason or another, resent the maintenance of 52 separate armed forces. Nor should any American, concerned about the bedrock guarantees of his freedom, have any illusion that the fate of the Guard does not concern *him*. Indeed, whether he can serve in it or merely *support it*, every American should be deeply concerned in what the Guard represents: the sovereignty of the States.

JAMES JACKSON KILPATRICK

THE SOVEREIGN STATES

PART I

MANUFACTURED IN THE UNITED STATES OF AMERICA
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THE GREAT AND LEADING PRINCIPLE IS, that the General Government emanated from the people of the several States, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community; that the Constitution of the United States is, in fact, a compact, to which each State is a party, in the character already described; and that the several States, or parties, have a right to judge of its infractions; and in case of a deliberate, palpable, and dangerous exercise of power not delegated, they have the right, in the last resort, to use the language of the Virginia Resolutions, "to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them."

This right of interposition, thus solemnly asserted by the State of Virginia, be it called what it may—State-right, veto, nullification, or by any other name—I conceive to be the fundamental principle of our system, resting on facts historically as certain as our revolution itself, and deductions as simple and demonstrative as that of any political or moral truth whatever; and I firmly believe that on its recognition depend the stability and safety of our political institutions. . .

JOHN C. CALHOUN

Fort Hill, July 26, 1831

1

The Beginnings

"THE TRUE DISTINCTION," said Mr. Pendleton, with some irritation, "is that the two governments are established for different purposes, and act on different objects."[1]

This was on the sunny afternoon of Thursday, June 12, 1788, in the New Academy on Shockoe Hill in Richmond. The Virginia Convention had been grappling for ten days with the new Constitution, and Edmund Pendleton, aging and crippled, had been sitting in dignified silence for as long as he could stand it. Patrick Henry, who was a hard man to live with at any time, was being especially difficult. Once before, on the 5th, Pendleton had attempted to soothe him, but Henry was not to be soothed.

The State and Federal governments would be at war with one another, Henry had predicted, and the State governments ultimately would be destroyed and consolidated into the general government. One by one their powers would be snatched from them. A rapacious Federal authority, ever seeking to expand its grasp, could not be confined by the States.

"Notwithstanding what the worthy gentleman said," remarked Mr. Pendleton with some warmth, for there were times when he regarded Mr. Henry as neither worthy nor a gentleman. "I believe I am still correct, and insist that, if each power is confined within its proper bounds, and to its proper objects, an interference can never happen. Being for two different purposes, as long as they are limited to the different objects, they can no more clash than two parallel lines can meet. . . ."

They were big ifs that Edmund Pendleton, a judicious man, here used as qualifications. If the State and Federal governments were each confined within its proper bounds, he said, the clash could never come. But the Federal government could not be kept confined, even as Henry feared, and the clash did come. It continues to this day. Mr. Pendleton's geometry was fine, but his powers of prophecy (for he believed that each government could be kept in check) were sadly in error.

To understand how the parallel lines of State and Federal powers have turned awry, it is necessary to look back at the period before these lines were drawn. The acts of ratification by Virginia and her neighbors were acts of sovereign States. At stake was their consent to a written constitution. How, it may be inquired, did they come to be "sovereign States?" What is this concept of State sovereignty?

It would be possible, in any such review, to go back to the great roots of Runnymede, but it will suffice to begin much later, in the turbulent summer of 1776. The

startling commitments of Lexington and Concord were behind us then; the bitter trials of White Plains, Vincennes, Camden, and Yorktown still lay ahead. March and April and May had passed—a time of bringing forth, of newness, of fresh hope—and great human events had run their course. Now, in June, a resurgent people made the solemn decision *to dissolve the political bands which had connected them with another*. Thus Jefferson's draft began, thus the Continental Congress adopted it at Philadelphia; from this moment Americans unborn were to date the years of their independence.

The eloquent beginning of the Declaration — the assertion of truths self-evident and rights beyond alienation—is well known: It is a towering irony that Jefferson, whose convictions were cemented in the inequality of man, should have his precise phrase corrupted by the levellers of a bulldozer society. The Declaration's beginning is too much recited and too little read.

What counts, for our present purpose, is not the first paragraph, but the last. Let us inquire, what, precisely, was it that we declared ourselves to be that Fourth of July? Hitherto there had been colonies subject to the King. That form of government would now be abolished. We would now solemnly publish and declare to a candid world—what? That the people of the colonies had formed a free and independent *nation?* By no means. Or that they were henceforth a free and independent *people?* Still no.

This was the declaration: "That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT STATES." Not one State, or one nation, but in the plural—*States;* and again, in the next breath, so this multiple birth could not be misunderstood, "that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do."[2]

It had opened, this Declaration, as an enunciation of what often are termed the "human rights," but it concluded, in the plainest terms, as a pronouncement of political powers — the political powers of newly created States. And these powers of war and peace, these powers of alliance and commerce, were published not as the powers of a national government, but as powers henceforth asserted by thirteen free and independent States.

To be sure, the States were united. Their representatives styled themselves representatives of the United States of America, in Congress assembled, but it was not the spokesmen of a nation who gathered in parliament. These were States in Congress. "One out of many," it is said. In a sense, yes. But the many remained—separate States, individual entities, each possessed, from that moment, of sovereign rights and powers.

Certainly Jefferson so understood our creation. "The several States," he was to write much later, "were, from their first establishment, separate and distinct

societies, dependent on no other society of men whatever."[3]

So Mr. Justice Samuel Chase comprehended it: He considered the Declaration of Independence, "as a declaration, not that the united colonies jointly, in a collective capacity, were independent States, etc., but that each of them was a sovereign and independent State, that is, that *each* of them had a right to govern itself by its own authority, and its own laws without any control from any other power on earth." From the Fourth of July, said Chase, "the American States were *de facto* as well as *de jure* in the possession and actual exercise of all the rights of independent governments. . . . I have ever considered it as the established doctrine of the United States, that their independence originated from, and commenced with, the declaration of Congress, on the Fourth of July, 1776; and that no other period can be fixed on for its commencement; and that all laws made by the legislatures of the several States, after the Declaration of Independence, were the laws of sovereign and independent governments."[4]

So, too, the sage and cool-minded Mr. Justice Cushing: "The several States which composed this Union . . . became entitled, from the time when they declared themselves independent, to all the rights and powers of sovereign States."[5]

Even Marshall himself had no doubts: In the beginning, "we were divided into independent States, united for some purposes, but in most respects sovereign."[6] The lines which separate the States, he later remarked, were too clear ever to be misunderstood.

And for a contemporary authority, it is necessary only to turn to Mr. Justice Frankfurter, who some years ago fell to discussing the dual powers of taxation preserved under the Constitution: "The States," he said, "after *they* formed the Union"—not the people, but the *States*, "continued to have the same range of taxing power which they had before, barring only duties affecting exports, imports, and on tonnage."[7] Regrettably, Mr. Justice Frankfurter appears in more recent times to have lost his concept of States forming a Union.

It is no matter. Evidence of the States' individual sovereignty is abundantly available. Consider, for example, the powers asserted on the part of each State in the Declaration "to levy War, conclude Peace, and contract Alliances." Surely these are sovereign powers. The States exercised them, as States, in the Revolutionary War. But it is of value to note that New York also very nearly exercised her war powers to enter into formal hostilities with the State of Vermont. Tensions reached so grave a point that Massachusetts, in 1784, felt compelled to adopt a formal resolution of neutrality, enjoining her citizens to give "no aid or assistance to either party," and to send "no provisions, arms, or ammunition or other necessities to a fortress or garrison" besieged by either belligerent. When New York adopted a resolution avowing her readiness

to "recur to force," Vermont's Governor Chittenden (whose son was to be heard from thirty years later in another row) observed that Vermont "does not wish to enter into a war with the State of New York." But should this unhappy contingency result, Vermont "expects that Congress and the twelve States will observe a strict neutrality, and let the contending States settle their own controversy."

They did settle it, of course New York and Vermont concluded a peace. The point is that no one saw anything especially remarkable in two separate sovereignties arraying themselves against each other. Vermont was then an individual political entity, as remote at law as any France or Italy. And New York, though a member of the Confederation, and hence technically required to obtain the consent of Congress before waging war, had every right to maintain a standing army for her own defense.

The status of the individual States as separate sovereign powers was recognized on higher authority than the proclamations of Vermont and Massachusetts. It is worth our while to keep in mind the first article of the treaty of September 3, 1783, by which the War of the Revolution came to an end:

> His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia to be free, sovereign and independent States; that he treats with them as such.

More than five years earlier, a treaty of amity and commerce with France had established the same sovereign status of the contracting parties. Louis XVI treated with the thirteen American States, but he recognized each of them as a separate power. And it is interesting to note that Virginia, feeling some action desirable to complete the treaty, prior to action by Congress, on June 4, 1779, undertook solemnly to ratify this treaty with France on her own. By appropriate resolution, transmitted by Governor Jefferson to the French minister at Philadelphia, the sovereign Commonwealth of Virginia declared herself individually bound by the French treaty.[8] In terms of international law, Virginia was a nation; in terms of domestic law, she was a sovereign State.

2

The State

To REVIEW the process by which the colonies became States is not necessarily to answer the basic question, What is a *State?* It is a troublesome word. The standard definition is that a State is "a political body, or body politic; any body of people occupying a definite territory and politically organized under one government, especially one that is not subject to external control." Chief Justice Chase, in *Texas vs. White,*[9] put it this way: "A State, in the ordinary sense of the Constitution, is a political community of free citizens, occupying a territory of defined boundaries, and organized under a government sanctioned and limited by a written Constitution, and established by the consent of the governed." In the Cherokee case, John Marshall described a State as "a distinct political society, separated from others, capable of managing its own affairs and governing itself."[10]

Thus, variously, a State is defined as a body, a community, and a distinct society. Plainly, mere boundary lines are not enough; a tract of waste and uninhabited land cannot constitute a State. Nor are people, as such, sufficient to constitute a State. James Brown Scott once offered this clear and succinct definition:

> The State is an artificial person, representing and controlled by its members, but not synonymous or identical with them. Created for a political purpose, it is a body politic. It is a distinct body, an artificial person; it has a will distinct from its members, although its exercise is controlled by them; it has rights and duties distinct from its members, but subject to being changed by them; it may hold property distinct from its members, but in trust for them; it may act separately and distinctly from them and bind them by its acts, but only insofar as it is authorized by the law of its creation, and subject to being changed by the source of that power.[11]

Thus the State is seen as a continuing political being, controlled by its citizens and yet controlling them. The State can be bound in ways that its own people cannot be bound; it can exercise powers that no citizen or group of citizens may exercise for themselves. The State may buy, sell, hold, grant, convey; it may tax and spend; it may sue, and if it consent, be sued; it exists to create law and to execute law, to punish crime, administer justice, regulate commerce, enter into compacts with other States. Yet there is no State until a community of human beings create a State; and no State may exist without the will and the power of human beings to preserve it.

It is this combination of will and

power which lies at the essence of the State in being. This is sovereignty. In the crisp phrase of John Taylor of Caroline, sovereignty is "the will to enact, the power to execute."[12] Long books have been written on the nature of sovereignty, but they boil down to those necessities: The will to make, the power to unmake.[13]

It was this power, this will, that the people-as-States claimed for themselves in 1776. Henceforth, they said, we are sovereign: The State government is not sovereign, nor is any citizen by himself sovereign. By the "sovereign State" we mean we citizens, the State; we collectively, within our established boundaries; this community of people; we alone who are possessed of the power to create or to abandon.

God knows it was a great, a priceless, power these people-as-States claimed for themselves. True, not everyone saw it that way. Mr. Justice Story, for one, never grasped the concept of States. Nor did Jackson. Albert J. Beveridge, in his biography of Marshall, refers sneeringly to the States as "these pompous sovereignties," but in a way, Beveridge's is perhaps a high acknowledgment of the simple truth: These infant States *were* sovereignties, and the people within them were proudly jealous of the fact. They saw themselves, in Blackstone's phrase, "a supreme, irresistible, absolute, uncontrolled a u t h o r i t y."[14] This, among other things, was the aim they had fought for. It cannot be imagined that they ever would have relinquished this high power of sovereignty except in the most explicit terms.

3

The Articles of Confederation

IN TIME, the Continental Congress gave way to the Articles of Confederation. The Articles merit examination with the utmost care; they are too little studied, and there is much to be learned from them.

First proposed in 1778, the Articles became binding upon all the States with Maryland's ratification in 1781. Throughout this period, as the war ran on, each of the States was individually sovereign, each *wholly* autonomous. Mr. Justice Iredell was to observe, in 1795, that had the individual States decided not to unite together, each would have gone its own way, because each "possessed all the powers of sovereignty, internal and external . . . as completely as any of the ancient kingdoms or republics of the world, which never yet had formed, or thought of forming, any sort of Federal union whatever."[15]

But they did form a Federal union—a "perpetual union between

the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia." They styled themselves, "The United States of America," and in the very second article of their compact, they put this down so no one might miss it:

> Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled.[16]

The third article is almost equally brief, and may be quoted in less space than would be required to summarize it:

> The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

There will be seen, in these opening paragraphs, the genesis of Constitutional provisions that were to follow in less than a decade. Here is the forerunner of the Tenth Amendment, with its reservation of undelegated powers to the States or to the people; here are the aims set forth of "common defense" and the "general welfare."

The fourth article advanced other phrases that have come down to us: The free inhabitants of each State ("paupers, vagabonds and fugitives from justice excepted") were to be entitled to "all the privileges and immunities of free citizens in the several States." Here, too, one finds the provision, later to be inserted substantially verbatim in Article IV of the Constitution of 1787, providing for the extradition of fugitives. Here the States mutually agreed that "full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State."

The fifth article provided for representation of the States in Congress. There were to be no less than two, no more than seven delegates from each State. They would assemble on the first Monday in November of every year. In this Congress, each State cast one vote; each State paid the salary and maintenance of its own delegates. These provisions, of course, were later abandoned; but we may note that the fifth article prohibited delegates to the Congress from "holding any office under the United States for which he or another for his benefit receives any salary, fees, or emolument of any kind," and also provided that "freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress." Both provisions were to turn up later in Article I, Section 6, of the Constitution.

The sixth and seventh articles dealt generally with limitations upon the States in terms of foreign affairs and the waging of war. Again, many a familiar phrase leaps from this much maligned compact of Confederation. No State, nor the Congress, was to grant a title of nobility; no two or more States were to enter into any treaty, confederation or alliance without the consent of the other States in Congress assembled; no State was to keep vessels of war in time of peace ("except such number as shall be deemed necessary by the United States in Congress assembled"), nor was any State to engage in war without the consent of Congress "unless such State be actually invaded by enemies, or . . . the danger is so imminent as not to admit of a delay. . . ."

The eighth article provided for defraying the expenses of war among the States "in proportion to the value of all land within each State," and the ninth article dealt with the powers of Congress. Once more, the origin of a dozen specific phrases in our present Constitution is evident. Congress was given the "sole and exclusive right and power of determining on peace and war." It was to enter into treaties and alliances, establish certain courts, fix standard weights and measures, and post offices.[17] But the Congress alone could do almost none of these things — it could exercise no important power — without the consent of nine of the member States.

The remaining four articles are of less interest and concern, though it may be noted that in three places, the framers of the Articles of Confederation provided that their union was a permanent union. The articles were to be inviolably observed by the States the delegates respectively represented, "and the Union shall be perpetual."

4

"We the People"

OF COURSE, it wasn't perpetual at all. Before six years had elapsed, the States came to recognize grave defects in the Articles of Confederation. And because they were sovereign States — because they had the will to enact and the power to execute, *because they who had made could unmake*—they set out to do the job again.

What they made, this time, was the Constitution of the United States. So much has been written of the deliberations that summer in 1787 in Philadelphia—so many critics have examined every word of the great document which came forth—that probably no new light can be shed upon it here. Yet the Constitutions of most States command their citizens to recur frequently to fundamental principles,

and the commandment is too valuable an admonition to be passed by. There is much of interest to be found if one examines the Constitution, the debates and the commentaries of the time, *in terms of the relationship there established between the States and the new Federal government they formed.*

It may be inquired, was sovereignty here surrendered in whole or in part? What powers were delegated, what powers retained? What were the functions to be performed by the States in the future? Was it ever intended that the States should be reduced to the weakling role thrust upon them in our time? We must inquire whether this proud possession of State sovereignty, so eloquently proclaimed in 1776, so resolutely affirmed in the Articles of 1781, so clearly recognized in the events of the time, somehow vanished, died, turned to dust, totally ceased to exist in the period of the next six years.

Now, the argument here advanced is this—it is the argument of John Taylor of Caroline and John Randolph of Roanoke—that sovereignty, like chastity, cannot be surrendered "in part." This was the argument also of Calhoun: "I maintain that sovereignty is in its nature indivisible. It is the supreme power in a State, and we might just as well speak of half a square, or half a triangle, as of half a sovereignty."[18] This was the position, too, of the bellicose George Troup of Georgia, of Alexander H. Stephens, of Jefferson Davis. It is the position of plain common sense: Supreme and ultimate power must be precisely that. Finality knows no degrees. In law, as in mountain climbing, there comes a point at which the pinnacle is reached; nothing higher or greater remains. And so it is with the States of the American Union. In the last resort, it is *their* prerogative alone (not that of Congress, not that of the Supreme Court, not that of the "whole people") to make or unmake our fundamental law. The argument here is that the States, in forming a new perpetual union to replace their old perpetual union, remained in essence what they had been before: Separate, free, and independent States. They *surrendered* nothing to the Federal government they created. *Some of their powers they delegated; all of their sovereignty they retained.*

It is keenly important that this distinction be understood. There is a difference between "sovereignty" and "sovereign power." The power to coin money, or to levy taxes, is a sovereign power, but it is not sovereignty. Powers can be delegated, limited, expanded, or withdrawn, but it is through the exercise of sovereignty that these changes take place. Sovereignty is the moving river; sovereign powers the stone at the mill. Only while the river flows can the inanimate stone revolve. To be sure, sovereignty can be lost—it can be lost by conquest, as in war; the extent or character of sovereignty can be changed, as in the acquisition or relinquishment of territory or the annexation of new peoples; sovereignty can be divided, when two States are created of one. But properly viewed, sovereignty is cause; sovereign powers, the effect: The wind that

blows; the branches that move. Sovereignty is the essence, the life spirit, the soul: And in this Republic, sovereignty remains today where it was vested in 1776, in the people. But in the people as a whole? No. In the *people-as-States.*

The delusion that sovereignty is vested in the whole people of the United States is one of the strangest misconceptions of our public life. This hallucination has been encouraged, if not directly espoused, by such eminent figures as Marshall, Story, and Andrew Jackson. It is still embraced by excessively literal and unthinking fellows who read "we the people" in the preamble to the Constitution, and cry triumphantly, "that means everybody" It does not; it never did.

The preamble to the abandoned Articles of Confederation, it was noted, declared the articles "binding between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York," and so forth. The preamble offered by the Convention of 1787, reads:

> We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

The opening few words were questioned repeatedly by Patrick Henry in the Virginia Convention of 1788. He kept asking, querulously, what was meant by "we the people," but he got no very satisfactory answer for his pains.[19] Governor Randolph ducked the question,[20] and Pendleton missed the point. Pendleton asked, rhetorically, "who but the people have a right to form government?" and the answer, obviously, in America, is "no one." Then Pendleton said this:

> If the objection be, that the Union ought to be not of the people, but of the State governments, then I think the choice of the former very happy and proper. What have the State governments to do with it?[21]

Again, the obvious answer is, "the State *governments* have nothing to do with it," but *that was not the question Henry asked.* There is a plain, distinction between "we the States" and "we the State governments," for States endure while governments fall. It was Madison who came closest to answering the insistent Henry. Who are the parties to the Constitution? The people, said Madison, to be sure, are the parties to it, but *"not the people as composing one great body."* Rather, it is *"the people as composing thirteen sovereignties."* And he added:

> Were it . . . a consolidated government, the assent of a majority of the people would be sufficient for its establishment; and, as a majority have adopted it already, we remaining States would be bound by the act of the majority, even if they unanimously reporbated

> it. . . . But sir, no State is bound by it, as it is, without its own consent.[22]

Colonel Henry Lee took the same point of view in responding to Patrick Henry. Light Horse Harry spoke as other proponents of the Constitution did, in irritation and perplexity. He could not comprehend why Henry's question should even be asked. Obviously, the "we the people" mentioned in the preamble — the "we the people" there and then engaged in ratifying the Constitution — were we "the people of Virginia." If the people of Virginia "do not adopt it, it will always be null and void as to us."[23]

Here Lee touched and tossed aside what doubtless was so clear to others that they could not understand what Henry was quibbling about. Of course, "we the people" meant what Madison and Lee found so obvious: It meant "we the people *of the States*." Why argue the point? "I take this," said Randolph testily, "to be one of the least and most trivial objections that will be made to the Constitution."[24]

The self-evident fact, as plain as the buttons on their coats, was that the *whole* people, the mass of people from Georgia to New Hampshire, obviously had nothing to do with the ratification of the Constitution. The basic charter of our Union never was submitted to popular referendum, taken simultaneously among the 3,000,000 inhabitants of the country on some Tuesday in 1788. Ratification was achieved by the people of the States, acting in their sovereign capacity not as "Americans," for there is no "State of America," but in their sovereign capacity as citizens of the State of Massachusetts, New York, Virginia, and Georgia.

This was the sovereign power that sired the new Union, breathed upon it, gave it life—the power of the people of the States, acting as States, binding themselves as States, seeking to form a more perfect union not of people but of States. And if it be inquired, as a matter of drafting, why the preamble of the Articles of Confederation spelled out thirteen States and the preamble of the Constitution referred only to "we the people," a simple, uncomplicated explanation may be advanced: The framers of the Constitution, in the Summer of 1787, *had no way of knowing how many States would assent to the compact.*

Suppose they had begun the preamble, as they thought of doing, "We the people of New Hampshire, Massachusetts Bay, Rhode Island," etc., and the State of Rhode Island had refused to ratify? It very nearly did. It was not until May 29, 1790, by a vote of 34-32, that Rhode Island agreed to join a union that actually had been created with New Hampshire's ratification nearly two full years before. Given a switch of two votes, Rhode Island might have remained, to this day, as foreign to the United States (in terms of international law) as any Luxembourg or Switzerland.

Some of these forebodings clearly passed through the minds of the delegates at Philadelphia. When the preamble first appears in the notes, on August 6, it reads: "We the people of the States of New

Hampshire, Massachusetts," etc., "do ordain, declare and establish the following Constitution." In that form it was tentatively approved on August 7. But the preamble, in that form, never is mentioned again. When the document came back from the Committee on Style in early September, the preamble had been amended to eliminate the spelled-out names of States, and to make it read simply that "we the people" ordain and establish. The change was not haggled over. No significance was attached to it. Why arouse antagonism in New York or North Carolina (where there was opposition enough already) by presuming to speak, in the preamble, as if it were unnecessary for New York or North Carolina even to debate the matter? The tactful and prudent thing was to name no States. Only the people-as-States could create the Union; only the people in ratifying States would be bound, as States, by its provisions.

5

The States in the Constitution

IN THE END, that was the way the compact read. It bound States—"The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between" — between whom? — "*between the States so ratifying the same.*" Not among people; it was "between States." And this proposal was put forward "by the unanimous consent," not of delegates assembled or of people gathered, but by "the unanimous consent of the *States* present the 17th day of September in the year of our Lord 1787. . . ."

On the plain evidence of the instrument itself, it is therefore clear: States consented to the drafting of the Constitution; States undertook to bind themselves by its provisions. If nine States ratified, the Constitution would bind those nine; if ten, those ten. Rhode Island had not even attended the convention; "poor, despised Rhode Island," as Patrick Henry later was to describe her, could stay aloof if she chose. There was no thought here of people in the mass. There was thought only of people-as-States, and while the new Constitution would of course act directly upon people—that was to be its revolutionary change — it would reach those people *only because they first were people-of-States.*

The one essential prerequisite was for the State, as a State, to ratify; then the people of the State would become themselves subject to the Constitution. No individual human being, in his own capacity, possibly could assent to the new compact or bind himself to its provisions. Only as a citizen of Virginia or Georgia or Massachusetts could he become a citizen also of the United States.

Madison recognized this. He acknowledged in his famed *Federal-*

ist 39 that ratification of the Constitution must come from the people "not as individuals composing one entire nation, but as composing the distinct and independent States to which they respectively belong." Each State, he said, in ratifying the Constitution, "is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act." This fact lay at the essence of the *Federal* union being formed. The States, and within them their local governments, were to be "no more subject, within their respective spheres, to the general authority, than the general authority is subject to them, within its own sphere." The jurisdiction of the Federal government was to extend "to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects."[25] Even the most casual reading of the Constitution, it may be submitted, abundantly supports Madison's comment here.

But the Constitution ought not to be read casually. Viewed from the standpoint of State and Federal relations, what does the Constitution say and do? The rubrics do not demand, before an ordinary mortal may explore the question, that he be ordained a Constitutional lawyer or put on the chasuble of the bench. Our Constitution is not the property of a juridical clergy only. The laity may read it too, and with equal acuity and understanding. The terms are not ambiguous.

The first thing to note, perhaps, is that the words 'State" or "States" appear no fewer than ninety-four times, either as proper nouns or pronominals, in the brief six thousand words of the original seven articles. The one theme that runs steadily through the whole of the instrument is the knitting together of States: It is a *union* that is being formed, and while the people are concerned for themselves and their posterity, the Constitution is to be established binding States.

Legislative powers, to begin at the beginning, are vested not in one national parliament of the people, but in a Congress of the United States. The word *Congress* was chosen with precision; it repeated and confirmed the political relationship of the proceding eleven years, when there had been first a Continental Congress and then a Congress under the Articles of Confederation.

This Congress is to consist of two houses. The first is the House of Representatives, whose members are to-be chosen "by the people of the several States." And here, in the very second paragraph, the framers encountered an opportunity to choose between a "national" and a "federal" characteristic: They might have established uniform national qualifications for the franchise, but they did not. Electors qualified to vote for candidates for the House of Representatives are to have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."

Representatives and direct taxes are to be apportioned — how? "Among the several States which may be included within this Union, according to their respec-

tive Numbers." How is this enumeration to be deterfined? The provision should be noted with care, for it is the first of four clauses that speaks eloquently of the plural nature of our Union: "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as *they* shall by Law direct." (Emphasis supplied.) Now, the antecedent of *they* is not "Congress," but "United States." Nowhere in the whole of the Constitution or in any of the subsequent amendments is the United States an "it." The singular never appears.

What else sheds light in the second section of Article I? We find that "each State shall have at Least one Representative," whereupon follows a roll call of the States themselves: "Until s u c h enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight," and so forth. And when vacancies happen "in the Representation from any State," the Governor thereof is to issue a writ of election.

The dignity and sovereignty of States are made still more evident in the composition of the Senate. It is to be composed "of two Senators from each State," and whereas Representatives are required to be inhabitants of the States "in which" they shall be chosen, Senators must be inhabitants of the States "for which" they shall be chosen.[2]

It is in section four that the first grant of authority to the Federal government appears: "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but" — and here the qualified concession — "the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

The delegations of power to a Federal government appear most fully, of course, in Section 8, but it is worth noting that not all the powers delegated to Congress are exclusive and unqualified powers. Thus, the Congress may raise and support armies, "but no Appropriation of Money to that Use shall be for a longer Term than two years." Thus, the Congress may provide for organizing, arming, and disciplining the militia, and for governing such part of the militia as may be employed in the service of the United States, but there is reserved "to the States respectively" the appointment of officers and the authority to train their militia according to regulations established by Congress. Thus, too, Congress may exercise Federal authority over Federally - owned property within the States, but how is such property to be acquired? The authority of the Congress extends only to those places "purchased by the Consent of the Legislature of the State in which the Same shall be," and this applies not only to military and naval installations but also to "other needful Buildings."

Several provisions in Section 9 merit attention. As a concession to the slave trade — one of the es-

sential compromises without which the Constitution never would have come into being at all—it was provided that "the Migration or Importation of such Persons as any of the States now existing shall think proper to admit," shall not be prohibited prior to 1808. Then follow seven paragraphs of specific restrictions upon the powers of Congress. The privilege of the writ of habeas corpus shall not be suspended; no bill of attainder or ex post facto law shall be passed; no direct tax shall be levied except according to the census of the people as a whole; no tax or duty shall be laid on articles exported "from any State"; and—again emphasizing the separateness of the member States forming the union —"No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another."

In Section 10, the States undertook to restrict themselves. No State shall enter into any treaty, alliance, or confederation; no State shall coin money or make anything but gold and silver legal tender; no State shall make any law impairing the obligation of contracts. Yet even here, the prohibitions are not without qualification. Thus, the States reserved to themselves the right to levy tariffs on imports or exports sufficient to execute their inspection laws; and though the fact is often forgotten, the States even reserved to themselves the solemn power they had claimed under the Articles of Confederation, to "engage in war," *as States*, if "actually invaded, or in such imminent Danger as will not admit of delay."

In the second Article of the Constitution, dealing with the Presidency, the framers again had an opportunity to choose between national and federal characteristics. At least twice during the convention of 1787, on July 17 and again on August 24, it was proposed that the President be chosen by popular, national election, but each time the proposal was overwhelmingly rejected. Instead, the framers agreed upon the plan of presidential electors which exists to this day: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress." These electors are to meet "in their respective States." If any person fail to obtain a majority of the electoral vote, the House of Representatives is to elect a President, but how is this to be done? "In chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote." Other protective clauses follow, still further emphasizing the role and the importance of the States: "A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice."

Article III, defining the judicial power of the United States, contains several provisions of interest in this review. We may note, for example, two further uses of the plural: First, the judicial power is

to extend "to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under *their* authority." Second, treason against the United States is to consist "only in levying War against *them*, or in adhering to *their* Enemies." Because the authority of the Court will be considered at length in a later chapter, it will suffice here merely to point out that nowhere in Article III is the Court given jurisdiction over controversies *between a State and the United States*. That proposal was specifically advanced during the convention, *and specifically rejected*.

Every section — indeed, every paragraph — of Article IV touches upon the federal nature of the Union. Full faith and credit are to be given "in each State" to the acts and judicial proceedings "of every other State." If this were not a federal union, the provision would be nonsense. Beyond this, "the Citizens of each State" shall be entitled to all privileges and immunities of citizens "in the several States." A person charged "in any State" with crime, who shall flee from justice "and be found in another State," shall be delivered up on demand "to be removed to the State having Jurisdiction of the Crime."

Then comes the provision that Northern States were to flout over a period of thirty years: "No Person held to Service or Labour in one State, under the laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due."

Finally, we may vote in Article IV the provision for admitting new States "into this Union" (not this Nation, but this Union): "No new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress."

Article V had best be quoted in full. It has not been changed by so much as an apostrophe in the years since it came from Philadelphia in September of 1787. It still fixes and defines the sovereign power:

> The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or *on the Application of the Legislatures of two thirds of the several States*, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, *when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof*, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the

> Ninth Section of the first Article; *and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.* (Emphasis supplied.)

Pause for a moment over this article of the Constitution. We are dealing here with Taylor's "will to enact" and "power to execute"; we are dealing with Marshall's "power to make and unmake." It was plainly envisioned by the framers that their work would require amendment through the years. "That useful alterations will be suggested by experience, could not but be foreseen," Madison was to write.[27] There was a double aim in the provision, even a triple aim. Article V, Madison tells us, was intended, first, to guard equally against too-easy amendment on the one hand and too-difficult amendment on the other. It was drafted, secondly, to permit amendments to originate both with the Federal and with the State governments. But it was intended, finally, to leave the ultimate decision upon changing the Constitution to the sovereign States themselves — not to the people as a mass, nor even to a bare majority of the States as such. It was recognized that the great, overriding principle of protection for minorities should apply here as bindingly as it was to apply elsewhere. If one-fourth-of-the-States-plus-one should object to a change in the Constitution—even if that change were desired by three-fourths-minus-one (and even if this larger fraction should include the great bulk of the total population)—the change could not be engrafted to the Constitution.

Article VI is brief. Its first provision covers debts and engagements entered into under the Articles of Confederation and continues these obligations under the proposed new Constitution; its third provision prohibits any religious test as a qualification for public office and requires an oath to support the Constitution of all public officers, both State and Federal.

It is the second provision that merits brief attention in this summary review:

> This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Let us go back: What is to be supreme? Three things. First, "this Constitution." Secondly, "laws of the United States which shall be made in pursuance thereof." Third, treaties made "under the authority of the United States." That is all. Not executive orders of the President. Not even judgments of the Supreme Court. The Constitution, the laws made in pursuance thereof, the treaties.

In passing, note the phrase "law of the land." It stems originally from the Magna Charta; but as it appears in the Constitution, "law of the land" was merely a substitution, proposed by the committee

on style, for "law of the several States and their citizens and inhabitants." The object was to extend this new supreme law to territories as well as to the States.[28] And this phrase, "law of the land," is as close as the Constitution ever comes to suggesting a "nation." Actually the word "nation" or the word "national" never appears in the Constitution.[29]

The aim, we will recall, was to form "a more perfect Union." Representatives and taxes were to be apportioned among the several States which may be included "within this Union." The militia may be called forth to execute "the Laws of the Union." The President is to provide Congress with information on the "State of the Union." New States are to be admitted "into this Union." The guarantee of a republican form of government goes "to every State in this Union." But never, at any point, are the United States described, in the Constitution, as comprising a "nation."

This is not to contend, of course, that ours is not a nation, or that the Federal government does not operate "nationally." It is only to suggest that the deliberate terms of the Constitution speak for themselves, and should be heeded: Our country is, first and foremost, originally and still, a *union of States*. And when we speak of the "law of the land," it should be kept steadily in mind that "the land" is a federal union, in which each of the States stands co-equal with every other State. The Constitution is supreme not only in its *authority* over each State, but also in its *protection* over each State. And each State, each *respective* State, is entitled to rely upon the Constitution as embodying supreme law that all other States must adhere to with equal fidelity, like it or not, until the Constitution be changed by the States themselves.

Note, too, the careful qualification that defines laws enacted by the Congress. Just any laws of the United States are not enough: Laws, to be binding, must be laws made *in pursuance of the Constitution*. Any attempted statutes that invade the residuary authority of the States, Hamilton tells us,[30] "will be merely acts of usurpation, and will deserve to be treated as such." And he adds, at another point, that:

> There is no position which depends on clearer principles, than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act, therefore, contrary to the Constitution, can be valid. To deny this, would be to affirm, that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid.[31]

Surely, it may be urged that precisely the same standard must be applied to other branches of the Federal government — the executive and judicial no less than the legislative. By extension, thus,

judgments of the Court, to be supreme law of the land, must be made pursuant to the Constitution. A judgment of the Court, so violative of the clear terms and understandings of the Constitution as to invade the residuary authority of the States, must also be regarded as a usurpation, and should deserve to be treated as such. The argument will be pursued at greater length hereafter.

Finally, this brief examination of the Constitution from the standpoint of the States may be concluded with a second look at Article VIII. It should be read carefully, for this is the clause that binds: "The Ratification of the Conventions of nine States" —not, again, the approval of a majority of the *people* in a popular referendum, but the ratification of nine *States*—"shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same."

Thus, on September 17, the Convention concluded its work. George Washington, as president of the Convention, transmitted the document to the Congress. A prophetic sentence appeared in his letter, as he mentioned the compromises necessary for the surrender of sovereign powers: "It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved." The States had done the best they could through their delegates. Eager to consolidate their Union, each State had been disposed "to be less rigid on points of inferior magnitude than might have been otherwise expected." They launched the ship.

"Well, Doctor," said the lady to Mr. Franklin, "what have we got, a republic or a monarchy?"

"A republic," replied the doctor, "if you can keep it."

6

The States Ratify

IN THE END, Virginia ratified. It was a close vote. A motion to postpone ratification until amendments, in the nature of a bill of rights, could be considered by "the other States in the American confederacy," failed by 88 to 80. Then the main question was put, and this was what Virginia agreed to. It merits careful reading:

> We, the delegates of the people of Virginia, . . . having fully and freely investigated and discussed the proceedings of the Federal Convention, and being prepared, as well as the most mature deliberation hath enabled us, to decide thereon, Do, in the name and in behalf of the people of Virginia, declare and make known, that the powers granted under the Constitution, being derived

> from the people of the United States, be resumed by them whensoever the same shall be perverted to their injury or oppression, and that every power, *not granted thereby, remains with them, and at their will;* that, therefore, no right, of any denomination, can be cancelled, abridged, restrained, or modified, by the Congress, by the Senate or House of Representatives, acting in any capacity, by the President, or any department or officer of the United States, except in those instances in which power is given by the Constitution for those purposes; and that, among other essential rights, the liberty of conscience and of the press cannot be cancelled, abridged, restrained, or modified, by any authority of the United States. . . .

The vote on that main question was 89 to 79, but even that narrow margin of approval was predicated upon a gentlemen's agreement that the Virginia Convention would recommend a number of amendments, in the form of a Bill of Rights, to be presented to the first Congress. And the first of these recommended amendments read: "That each State in the Union shall respectively retain every power, jurisdiction, and right, which is not by this Constitution delegated to the Congress of the United States, or to the departments of the Federal government."

By the time Virginia completed ratification, of course, her decision no longer carried compelling importance. The Virginia convention had opened on June 2, not quite two weeks after South Carolina, on May 23, had become the eighth State to ratify. But while the Virginians were debating the issue, New Hampshire, on June 21, had become Number Nine: The new Union had been formed, and the Constitution had become binding upon the nine States "ratifying the same." It has ever been Virginia's fate to make the right decisions, but to put off making them as long as possible.

In this consideration of State and Federal relationships, there is something to be learned from the other resolutions of ratification. The easy ones came first: Delaware came first, on December 7, 1787, "fully, freely and entirely" approving and assenting to the Constitution; and then, in quick succession, Pennsylvania on December 12, after a bitter fight; New Jersey on December 18, and Georgia—Georgians had not even read the Constitution—on January 2, 1788.[58] Connecticut followed a week later, with a comfortable vote of 128 to 40.

Then a month's hiatus set in. Massachusetts did not become Number Six until February 7, and her approval of this "explicit and solemn Compact" was not unqualified:

> It is the opinion of this convention that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of this Commonwealth, and more effectually guard against an undue ad-

> ministration of the Federal government.[59]

It will come as no surprise that the very first amendment recommended by Massachusetts was "that it be explicitly declared that all Powers not expressly delegated by the aforesaid Constitution are reserved to the several States to be by them exercised."

Two months later, on April 28, Maryland ratified. Then there was another lapse of nearly a month before South Carolina, on May 23, became Number Eight. South Carolina accompanied her resolution of ratification with a pointed statement that she considered it essential "to the preservation of the rights reserved to the several States" and for the freedom of the people, that the State's right to prescribe the manner, time, and places of Congressional elections "be forever inseparably annexed to the sovereignty of the several States." Then South Carolina added:

> This Convention doth also declare that no Section or paragraph of the said Constitution warrants a Construction that the States do not retain every power not expressly relinquished by them and vested in the General Government of the Union.[60]

New Hampshire, in voting its approval on June 21, closely paralleled the action of Massachusetts, but New Hampshire's declaration as to reserved powers was even more explicit. The people of New Hampshire wanted it understood that all powers not "expressly and particularly delegated" were reserved.

So, too, with New York, which became Number Eleven on July 26. The convention at Poughkeepsie wished to make it known:

> That every Power, Jurisdiction, and right, which is not by the said Constitution clearly delegated to the Congress of the United States, or the departments of the Government thereof, remains to the People of the several States, or to their respective State Governments to whom they may have granted the same; And that those Clauses in the said Constitution, which declare, that Congress shall not have or exercise certain Powers, do not imply that Congress is entitled to any Powers not given by the said Constitution; but such Clauses are to be construed either as exceptions to certain specified Powers, or as inserted merely for greater Caution.[61]

Interestingly enough, New York's convention also wanted certain things made known about the Supreme Court of the United States, to wit,

> That the Jurisdiction of the Supreme Court of the United States, or of any other Court to be instituted by the Congress, is not in any case to be encreased, enlarged or extended by any Fiction Collusion or mere suggestion;—And That no Treaty is to be construed as to alter the Constitution of any State.[62]

With New York's ratification, a quite extended period of inaction began. It was not until November

21, 1789, nearly a year and a half later, that North Carolina became Number Twelve in the Union. And North Carolina, for her part, inserted a declaration:

> That each State in the Union shall, respectively, retain every power, jurisdiction and right, which is not by this Constitution delegated to the Congress of the United States or to the departments of the Federal government.[63]

Finally, after another lapse of half a year, Rhode Island completed the chain of member States. On May 29, 1790, Rhode Island, with great caution and reluctance, joined the Union. The margin of ratification, we have noted, was a bare 34 to 32. Clearly, the necessary votes would not have been obtained if the resolution of approval had not included eighteen detailed paragraphs of understandings, plus no fewer than twenty-one proposed amendments. The third of these "impressions" declared:

> That the powers of government may be reassumed by the people, whensoever it shall become necessary to their happiness:—That the rights of the States respectively, to nominate and appoint all State Officers, and every other power, jurisdiction and right, which is not by the said Constitution clearly delegated to the Congress of the United States or to the departments of government thereof, remain to the people of the several States, or their respective State governments to whom they may have granted the same. . . .[64]

And the very first of Rhode Island's recommended amendments proposed that:

> The United States shall guarantee to each State its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Constitution expressly delegated to the United States.[65]

All these various recommendations as to Constitutional amendment were grouped together by the First Congress in a resolution on March 4, 1789, submitting what is now the Bill of Rights to the member States. Twelve proposals in all were offered. Numbers One and Two failed of ratification; the first would have fixed representation in the House according to a precise guarantee by population; the second would have provided that no law changing the salaries of Congressmen could take effect "until an election of Representatives shall have intervened." The remaining ten amendments won a sufficient number of States; and the tenth of these, as it is now embedded in our Constitution, forever proclaims that:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

In recent years, the Supreme Court of the United States has undertaken to repeal the Tenth Amendment by treating it as a meaningless appendage to the Constitution—mere surplusage, a tautological expression of self-evident

facts. The Tenth Amendment "added nothing to the instrument as originally ratified," said the Supreme Court in 1931.[66] The Amendment "states but a truism," added Chief Justice Stone ten years later.[67] But the overwhelming preponderance of evidence proves that when the Tenth Amendment was nailed into the Constitution, the ratifying States regarded this statement of reserved powers as a vital, indeed an absolutely necessary addition to the Constitution.

The Supreme Court, it may be suggested, has no authority to repeal any provision of the Constitution. Mr. Justice Frankfurter, no less, is a recent authority on the point: "Nothing new can be put into the Constitution except through the amendatory process," he said recently for the court. "Nothing old can be taken out without the same process."[68] And so long as the Tenth Amendment remains a part of the Constitution, it is elementary that it must be given full meaning — that the intention of its framers must be acknowledged and respected. Plainly, the intention of the Tenth Amendment remains a part of the Constitution, it is elementary that it must be given full meaning — that the intention of its framers must be acknowledged and respected. Plainly, the intention of the Tenth Amendment was to restrict the Federal government — to hold it within the strict boundaries of the delegated powers. To be sure, John Marshall, not long after the Union was formed, was to seize upon the fact that the restriction went only to the "powers not delegated," and not to the "powers not *expressly* delegated," as if this made some large difference. But by that time Marshall was at the helm, and the powers of the States already were being eaten away by slow judicial erosion. The process continues, at an accelerated pace, to this day.

PART II

THE RIGHT TO INTERPOSE

1

A Cast of Characters

WE HAVE COME this far in the argument: First, that the political entities created with the Declaration of Independence were free and independent States, even as the instrument proclaimed them to be; second, that the States asserted for themselves the powers of sovereignty, and exercised those powers for more than a decade thereafter; third, that it was the States, as States, which formed the new Union of 1788; fourth, that in binding themselves to the Constitution the States delegated—not surrendered, but *delegated* — only certain of their powers, retaining all others to themselves.

It was foreseen, we have noted, that conflicts would arise between the States and the Federal government which the States jointly had created, but the extent of these conflicts was minimized. It was assumed by those whose views prevailed — by Hamilton, Marshall, Madison, Pendleton, and Washington—that the State and Federal governments would confine their activities each to its allotted realm of authority. No one dreamed, then, of a massive Federal government, extending its authority into every phase of personal and public affairs; the functions of the Federal government, it was said, would be few and limited—those of the States, many and indefinite.

More mistaken prophecy never was made by men of vision. The Union barely had become complete, with Rhode Island's long-delayed ratification, before the States were shocked by a decision of the Supreme Court which challenged their sovereign authority and violated a clear Constitutional understanding. This was, of course, the Chisholm case. It marked the first major conflict in the continuing struggle of the States to preserve their rightful powers. It is here that a brief account of that struggle must begin.

First, let a stage be set. Time, 1790. It is a turbulent, tumultuous, exciting year. The assault upon the Bastille had come the preceding summer, only four months after Washington's inauguration in March. Now, in 1790, Louis XVI and Marie Antoinette have but three years left to them. Napoleon is twenty-one, a junior lieutenant in the artillery; his time is still ahead. In Prussia, Frederick II reigns; in England, George III is still on the throne. This was the year that Papa Joseph Haydn, passing through Bonn, heard a mass by a stormy, violent young

man of twenty, and arranged to have young Beethoven come to Vienna to study under him. Mozart in 1790, ill and poverty-stricken, is thirty-four, at work on *The Magic Flute*, with *Don Giovanni* behind him; his brief candle is almost out. Wordsworth is twenty, Coleridge eighteen, Jane Austen a solemn little girl of fifteen.

In the United States, there is not much concern for the finer arts, though the new Republic boasts twenty-four colleges or universities, nine of them created in the preceding ten years. The country is too new, too raw, the hazards of the expanding frontier too much a reality. Linking the States—perhaps "linking" is too strong a word—is a primitive network of post-roads and trails. One stage a day serves Boston and New York.[1] Of the 3,929,000 inhabitants enrolled in the census of 1790, all but 201,000 live in rural areas; and while communications are improving beyond the miserable level of the Revolution, news still filters with great slowness to remote places.

What is the news that carries the most absorbing meaning? Politics. Government. The novelty, and the passion, of a new union. "Never in American annals," Charles Warren once observed, "has there been a period when men 'took their politics so hard' as in the twenty-five years between the framing of the Constitution and the end of the War of 1812."[2]

They are hard men: Washington, loved but enigmatic, rides at the crest of his popularity; the bitterness of his last years has not begun. That thin-skinned and well-stuffed Federalist, John Adams, presides over the Senate. In Massachusetts, the pugnacious diarist of Dedham, Nathaniel Ames, is warring with his brilliant Federalist brother, Fisher. The Spring of 1790 brings the death of Benjamin Franklin, an old man, much honored — but we forget how young so many of the founding fathers were: Jefferson is forty-seven in 1790; Madison thirty-nine, John Marshall thirty-five, Hamilton only thirty-three. In Virginia, Spencer Roane, one of the most neglected jurists of our history, is twenty-eight. John Taylor of Caroline, farmer, soldier, profound political thinker, is thirty-seven.

Some of the players in the developing drama are not yet born—Upshur and Hayne will not appear until 1791—and some are only boys: Henry Clay in Virginia; Wilson Lumpkin in Georgia; John Randolph, a precocious seventeen, impatiently learning law and politics. And far apart, as the last decade of the 18th century opens, are two eight-year-olds: In New England, Daniel Webster; and in up-country South Carolina, a slender, dark-eyed, brooding boy, John C. Calhoun.

2

The Chisholm Case

IT WILL BE RECALLED that Section 2 of Article III of the Constitution extended the Supreme Court's jurisdiction to "controversies . . . between a State and Citizens of another State." There was no question that a State could *bring* such an action. Georgia, in 1792, had brought an action against one Brailsford, a British subject, to confiscate payment of a debt that was owed him.[3] But it was equally clear, or so the States thought, that no citizen could sue a State without the State's consent. Hamilton, among other advocates of the Constitution, had declared this immunity to be "inherent in the nature of sovereignty."[4]

In the autumn of 1792, in Virginia, came rumblings of a storm ahead. Suit was filed in the Supreme Court of the United States against the Commonwealth of Virginia by the Indiana Company, seeking clear title to certain lands "between the Alleghany mountains and river Ohio, above the mouth of the Little Kanawha Creek." The company contended that it held valid title as the result of a deed, in 1768, from the Six United Nations of Indians.

But Virginia did not agree to this at all. Thirteen years earlier, on June 12, 1779, the Virginia General Assembly had disposed of the claim: "All deeds which have been or shall be made," said the Assembly at the time, "by any Indians, or by any Indian nation or nations, for lands within the limits of the charter and territory of Virginia . . . to or for the use or benefit of any private person or persons, shall be, and the same are hereby declared utterly void, and of no effect."

Yet here, in a new Union, before a new court, was the Indiana Company again reviving its claim. On December 18, 1792, the Virginia Assembly adopted a brief resolution. Because it marks a significant step in the beginnings of State interposition, it merits quotation substantially in full. The resolution first recalled the Assembly's action of 1779, and continued:

> From the foregoing resolutions it appears, that the claim of the Indiana Company, has been already decided on by the legislature of this Commonwealth: Your committee are therefore of opinion, that such decision having been made previous to the adoption of the present Constitution, and under the former instrument of confederation (which expressly guaranteed perfect and unimpaired sovereignty as to all matters of internal government to all the States leagued under it) cannot be again called in question, before any other tribunal than the General Assembly of this Commonwealth, w i t h o u t a dangerous and unconstitution-

al assumption of power, which, if exercised, would give birth to a series of pernicious and disgraceful consequences, the extent and duration of which it is hardly possible to measure or calculate.

Resolved therefore, That the jurisdiction of the Supreme Court of the United States, does not and cannot extend to this case, it having been already decided on before a tribunal fully competent to its decision.

Resolved, That the State cannot be made a defendant in the said court, at the suit of any individual or individuals.

Resolved, That the executive be requested, to pursue such measures in this case, as may to them seem most conducive to the interest, honor and dignity of this Commonwealth.[5]

Look back at that language for a moment. Here, in 1792, was Virginia saying bluntly that the court's jurisdiction "does not and cannot extend" to a certain case, and further, that Virginia "cannot be made a defendant in the said court." Here was Virginia instructing her Governor to take "such measures" as he deemed conducive with the "interest, honor and dignity" of the State. One hundred and sixty-four years later, it will be seen, Virginia was to echo the language.

Before the Indiana Company could perfect its suit against Virginia, however, Alexander Chisholm of South Carolina, in the fall of 1792 filed suit in the Supreme Court against the State of Georgia. Chisholm appeared as executor of one Robert Farquhar, seeking recovery of property confiscated during the Revolution. Chisholm appeared, but Georgia did not.

On December 14, 1792, a resolution was offered in the Georgia House of Representatives declaring that for the State of Georgia to respond to Chisholm's petition would not only involve the States in numberless law-suits. Acquiescence before the Court, it was said, also

> would effectually destroy the retained sovereignty of the States, and would actually tend in its operation to annihilate the very shadow of State government, and to render them but tributary corporations to the government of the United States.[6]

Therefore, Georgia would not appear. Georgia would not be bound by the court's decree, whatever it might be. The Court was acting in a fashion "unconstitutional and extra-judicial."

But the case came on to be heard the following February, and on February 18, 1793, in one of the milestone decisions of the Court, Pennsylvania's James Wilson had this to say:

> This is a case of uncommon magnitude. One of the parties to it is a STATE; certainly respectable, claiming to be *sovereign*. The question to be determined is, whether this State, so respectable, and whose claim soars so high, is amendable to the jurisdiction

> of the Supreme Court of the *United States?* This question, important in itself, will depend on others, more important still; and may, perhaps, be ultimately resolved into one, no less radical than this —"do the people of the *United States* form a *Nation?*"[7]

To the majority of the Court, there was no question of this. A nation had in fact been formed by "the People of the United States," among whom were the people of Georgia. And in this nation, judicial authority over all things, over even the State of Georgia, had been vested in the high Court. That had been the will of the people of Georgia. They had joined others in forming themselves "into a nation for *national purposes.*" They had instituted, for such purposes, "a national government, complete in all its parts, with powers legislative, executive and judiciary; and in all those powers extending over the whole nation." No person, said Wilson, and no State, could claim exemption from the jurisdiction of the national government. And as for the action brought by Farquhar's executors? The action was validly filed.

It was a 4-1 decision by the Court, with Iredell dissenting. The Court ordered the plaintiff's suit to be served on the Governor of Georgia, and commanded the State to appear or suffer judgment in default. From argument to opinion, the whole thing had taken but fourteen days.

A sense of profound shock swept the country. Massachusetts adopted a resolution denouncing the court's opinion. Virginia's Assembly declared:

> That a State cannot under the Constitution of the United States, be made a defendant at the suit of any individual or individuals, and that the decision of the supreme Federal court, that a State may be placed in that situation, is incompatible with, and dangerous to the sovereignty and independence of the individual States, as the same tends to a general consolidation of these confederated republics.

The outrage in Georgia can be well imagined. Wilson's opinion had come down in mid-February; the Georgia Legislature did not convene until the following November, but nine months provided no cooling-off period. Governor Edward Telfair advised the Legislature that he had refused to make an appearance, despite a process served upon him, because "this would have introduced a precedent replete with danger to the Republic, and would have involved this State in complicated difficulties abstracted from the infractions it would have made on her retained sovereignty."[8] On November 21, the Georgia House of Representatives passed a bill providing that any Federal marshal who attempted to levy upon the property of Georgia in executing the court's order "shall be . . . guilty of felony, and shall suffer death, without the benefit of clergy, by being hanged."[9]

Let us take careful note of what happened next. The Court had said one thing—that it had power to hear this suit against Georgia. And Georgia, interposing, had said another thing—that the Court had no such authority. How was this

question of contested power to be resolved? Who was right, Georgia or the Court?

The issue went to the States themselves. On February 19, 1793, the day after the Court's opinion came down, a resolution was offered in Congress proposing an amendment to the Constitution. In January of 1794, this resolution was put in final form and in March it was submitted to the States. New Jersey and Pennsylvania, in effect, voted for the Court: they refused to ratify. But New York, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont (which had joined the Union in March of 1791), Virginia, Kentucky, Maryland, Delaware, North Carolina—and of course, Georgia—held that the Court was wrong. They ratified what is now the Eleventh Amendment. They declared that:

> The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign state.

The necessary number of ratifications could be counted by February of 1795, but the amendment was not formally proclaimed a part of the Constitution until 1798. What is important to note, in this regard, is that Georgia totally defied the Court from the very inception of the suit in 1792. *Georgia defied the Court, and Georgia remained in the Union.* There was no violence, no secession, no anarchy. There was simply a question of contested power, submitted to the States for decision. And when they had decided it, that was the end of it. The Court in 1798 struck the Chisholm case from its calendar, and with it went all other suits against States commenced prior to the effective date of the Eleventh Amendment.[10]

(To Be Continued)

NOTES

"We the People"

18. John C. Calhoun, *Reports and Public Letters,* ed. Richard Cralle (New York, 1855), II, 231-32.
19. He really didn't expect any.
20. Elliot, *Debates,* III, 28.
21. *Ibid.,* p. 37.
22. *Ibid.,* p. 94.
23. *Ibid.,* p. 42.
24. *Ibid.,* p. 29.

The States in the Constitution

25. The rest of the paragraph has not been ignored; it will be quoted elsewhere.
26. This provision was not changed by the Seventeenth Amendment.
27. *The Federalist,* No. 43.
28. August O. Spain, *The Political Theory of John C. Calhoun* (New York, 1951), p. 195.
29. The word "nations" appears twice, in Article I, Section 8: once in authorizing Congress to regulate commerce with foreign nations; again, in authorizing Congress to define and punish offenses against the law of nations.
30. *The Federalist,* No. 33.
31. *The Federalist,* No. 78.

The States Ratify

58. Albert J. Beveridge, *The Life of John Marshall* (Boston, 1916), I, 325.
59. Tansill (ed.), *Documents on Formation of the Union*, p. 1,018.
60. *Ibid.*, p. 1,023.
61. *Ibid.*, pp. 1,034-35.
62. *Ibid.*, p. 1,037.
63. *Ibid.*, p 1,047.
64. *Ibid.*, p. 1,052.
65. *Ibid.*, p. 1,056.
66. *United States vs. Sprague*, 282 U.S. 716 (1931).
67. *United States vs. Darby*, 312 U.S. 100 (1941).
68. *Ullman vs. United States*, 24 L.W. 4147 (1956).

Part II

THE RIGHT TO INTERPOSE

A Cast of Characters

1. Beveridge, Marshall, I, 250-66.
2. Charles Warren, *Jacobin and Junto* (Cambridge, Mass., 1931), Introduction.

The Chisholm Case

3. *Georgia vs. Brailsford*, 2 Dallas 402 (1792).
4. *The Federalist*, No. 81.
5. Hening, *Statutes at Large*, XIII, pp. 630-31.
6. Herman V. Ames, *State Documents on Federal Relations* (Philadelphia, 1911), p. 7.
7. *Chisholm vs. Georgia*, 2 Dallas 419 (1793).
8. Ames, *State Documents*, p. 9.
9. *Ibid.*, p. 10.
10. See *Hollingsworth vs. Virginia*, 3 Dallas 378 (1798).

News from the

National Association of Manufacturers

Labor

Public Information Department
Leslie Avery, Director

2 East 48th Street, New York 17
MUrray Hill 8-4200

FOR RELEASE IN AFTERNOON NEWSPAPERS OF SATURDAY, FEBRUARY 2, 1957

PEORIA, ILL., Feb. 2 -- In each of the nation's basic industries, one man -- or a small group of men -- has the power to stop the wheels of production, the president of the National Association of Manufacturers said here today.

Warning of the unrestrained power in the hands of labor union chiefs, the NAM spokesman, Ernest G. Swigert, pointed out that the President of the United States couldn't shut down the steel industry, for example, but that the president of the United Steelworkers can.

"This is the kind of power the writers of the Declaration of Independence and the Constitution declared should belong to no man," Mr. Swigert told a joint meeting of the Peoria Association of Commerce and Bradley University.

"I'll be challenged on this," he said. "Someone will say that one man can't shut down these industries at his command -- that the constitutions of these unions state explicitly that a strike can be called only by a majority vote, or a two-thirds vote, of the members."

Mr. Swigert declared that such provisions "seldom mean a thing in practice." "What usually happens, even before a dispute develops," he said, "is for the union officials to ask for a strike authorization -- to strengthen their hand, they say, in dealing with the employer. But seldom, if ever, does the rank and file get a chance to vote on the clear-cut issue of whether to accept the terms the employer offers. The officials of the union make this decision. They command, and the members obey -- or else."

-more-

If union leaders choose to act in concert in the matter of a strike, Mr. Swigert said that they hold the power "to tie the whole country into an economic knot overnight."

Pointing out that the courts have held that unions are immune from the antitrust laws, Mr. Swigert cited six case histories to show how unions have used coercion, compulsion, violence and boycotts "to gain their purposes without regard to the public interest."

Mr. Swigert, who is president of the Hyster Company, Portland, Ore., said that the monopolistic power of the unions rests on three props.

"First, by means of compulsory unionism -- permissible in 31 of the 48 states -- they are enabled to exercise airtight discipline and control over their members," he said. "The union leaders are able to control the members, but the members are not able to control their leaders. Compulsory unionism is a violation of the right of free choice and the personal dignity which is the birthright of every American. This is one thing management can do something about, for there is no law which requires any company to sign a contract forcing its men to join any organization.

"The second prop which supports union monopoly power is the use of the secondary boycott, inadequately controlled under present law. By means of the boycott, large numbers of people who do not want to join are herded into the union ranks. Also by means of the boycott, and the interlocking directorate which is represented by the high command of the AFL-CIO, union monopoly power can make itself felt in every business and in every corner of the land.

"The third and probably the most dangerous prop is the use of union dues money for political purposes."

Mr. Swigert said that the law governing political expenditures should be enforced against unions, just as it is enforced against corporations.

"All three props which support union monopoly power must be removed," he said, adding that this is "not union-busting or labor-baiting."

"If labor unions are to become -- as they say they wish to become -- a constructive and respected force in American life, let them operate within the framework of American traditions and principles."

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Treason

April 14, 1957

WILL CONGRESS HANG OUT THE HIDES OF US ALL TO DRY?

This should be an appropriate time to talk about Federal spending. We are all just a few hours away from the deadline at which we must have paid the bill that takes priority over all others--the Federal Income Tax.

The butcher, grocer, landlord, and such can all be made to wait, but not your Uncle Sam. He has already had a big cut out of every one of your 1956 pay checks. Nevertheless, he demands a final accounting now with full payment of all balances before midnight, April 15.

By that time, you must have complied--or else. After all, your Uncle Sam has arranged to spend more than seven billion dollars a month, starting next July 1.

Treasury Department adding machines are working overtime right now to see how much of this budget has been squeezed out of us hour-by-hour up to this moment.

Now, take a last look at that Income Tax return. How many months of last year did you work exclusively for the Income Tax collector before you could take a nickel for yourself or your family? Was it three, four, five months or even more?

Yes, it has finally happened here--forced work without pay. Forced labor was brought to the United States by those twin tools of Socialism, Federal spending and the Federal Income Tax.

You have heard of next year's Federal spending budget in terms of 71 and 8/10 billion dollars, but that is not the whole Federal taxing and spending story--not by any means. Over and above the official budget receipts, the Federal Government will collect and spend an additional 15 billion dollars in Social Security and other "trust fund" taxes that are completely outside of the official budget and thus completely obscured from the taxpayer.

Unless an upsurge of Congressional courage intervenes to prevent it, the total Federal outlay for the next fiscal year will exceed 86 billion dollars. This is an incomprehensible sum of money. You may get some appreciation of its size, however, when you realize that, if an everlasting person had been spending $84 a minute for 24 hours of every day since the birth of Christ, his total expenditures by next Christmas Day, nineteen hundred and fifty-seven years after he started, would still be 200 million short of 86 billion dollars!

Nevertheless, 86 billion dollars is what the Federal Government proposes to spend in the next 12 months. For sheer magnitude, the complete absorption of this vast

cataract of cash will surpass anything that has ever been accomplished on earth. If the mere prospect of this performance staggers the imagination--which it does--just think of the inspiring challenge which this mountain of money will carry to the Spendocracy in Washington.

For sitting in judgment on this wasteful extravaganza, there is no better time than this vigil of April 15. After wrestling with your Income Tax Form 1040, you can appreciate the fact that every single dollar in this flood of money now roaring out of Washington has been siphoned out of your earnings.

This is your hard-earned money that President Eisenhower, Mr. Dulles, Mr. Folsom, Mr. Mitchell and the others are now demanding from your Congressmen and your Senators. President Eisenhower shrugs off the great volume of cut-the-budget mail that Congress is receiving. He thinks that it is limited in scope and does not represent widespread public opinion. (Roscoe Drummond--The South Bend Tribune--April 7.)

Mr. Eisenhower likewise shrugs off his 1952 promise to lower taxes, to reduce spending and to shrink the Federal pay-rolls. At that time, in 1950, the extravagant Truman Administration had spent $266 for every person in the country. Scandalous? Of course, it was.

Mr. Eisenhower thought it was terrible and promised to "clean up the mess in Washington."

The President is now proposing to spend not $266 but $523--for every person in the United States--and he has 20 million more people in his multiplier than Mr. Truman had in 1950.

Take the same pencil you used for your Income Tax return and figure it out for yourself. Here is the box score: Expenditures by Truman in 1950--40 billion; by Eisenhower in the current year--80 billion. Proposed by Eisenhower for next year--86 billion. This is not improvidence, imprudence or extravagance, merely. This is the rapidly progressive destruction of the American Republic.

IT WAS ALL PLANNED EXACTLY THIS WAY

Unless Congress can dam this torrential flood now, it will wash away the material and Constitutional resources of this country before the end of another Presidential administration!

This spending program is no casual development. On the contrary, it is the activation of a calculated design by those who are determined to sink this last bastion of private property and personal liberty in the swamp of International Socialism.

These International Socialists are alarmed at the increasing weakness of the Soviet government and its satellites. They know that the sudden collapse of the Kremlin dictatorship, in a chain reaction of popular uprisings, would forever destroy their insidious plan to Socialize and centralize the government of the world.

They know that such uprisings are imminent and may happen at any moment. They are in haste to forestall the collapse of the Kremlin until private enterprise in America has been destroyed.

According to Socialist Norman Thomas, the Eisenhower Administration has done more to help these Socialist designers than any Presidential administration in history. (See Manion Forum Broadcast No. 131.) But the Socialists are not satisfied with this

progress. They are in a desperate hurry, and skyrocketing Federal spending programs are a calculated means to their end.

The logical and psychological spear-head of this drive toward American bankruptcy is the item of Foreign Aid. It is difficult to convince American taxpayers or their Congressmen that the Federal Government must continue to build dams, factories, schools, power plants and hospitals in India and Afghanistan, but that it must not do the same for Mississippi, Montana or Missouri.

At this point, the President sends down the word that the Foreign Aid appropriation is indispensable. Very well then, answers the Congressman, but let us now have a little of the same for West Virginia, North Carolina and South Dakota. Foreign Aid thus becomes the fulcrum for the long Socialist lever which now pries this country loose from its Constitutional foundations. But, Foreign Aid is more than that. It is likewise a device for destroying the future of private investment and private enterprise throughout the world.

Over this microphone last week, National Commander Daniel of The American Legion, said that the one hope for all foreign nations lies in the investment of private capital within their borders and the intelligent development of each country by competitive private enterprise. He is right, of course, but our Foreign Aid program deliberately discourages this procedure by subsidizing wasteful Socialist enterprises that are operated directly by dictatorial governments all over the world.

In this hypocritical pursuit, our Foreign Aiders have spent 60 billion dollars of your money on the pretext of resisting the advance of Communism. Meanwhile, Communism has captured a third of the World and Socialism is entrenched throughout most of what remains.

The Foreign Aiders now lower their anti-Communist mask and propose to subsidize the Communist government of Poland. ??

WHY NOT MOVE STATE DEPARTMENT INTO THE KREMLIN? ?

Secretary Dulles wants a special State Department fund to bring specialists and leaders from Communist Yugoslavia to the United States. Some United States Senators have already announced their approval of Foreign Aid for Communism. Fortunately for the country, a growing group of Congressmen and Senators is ready to end Foreign Aid altogether. I urge you to read all of what Congressman George Meader writes in the April issue of the Readers Digest. He calls it "Foreign Aid, a Bureaucratic Nightmare".

Here are some highlights: We built a $128,000 cow barn in Lebanon to demonstrate to farmers with incomes of $100 a year the kind of equipment they should have. We spent 39 1/2 million dollars for dams in isolated Afghanistan. The idea was to irrigate the desert and produce electricity.

Today--five years later--no electricity has been generated and the nomads refuse to settle on the irrigated lands, but we are still pumping money into the irrigation canal. Instead of teaching the primitive Afghans to use the wheel and axle, we built them two airports at a cost of 14 1/2 million dollars.

The trouble is, continues the Congressman, our Foreign Spenders "measure the success of their programs in terms of cash spent. They are trying to spend 80 million dollars a year in India. A United States staff of 400 works hard at the task, but it is difficult to get rid of this much cash just showing people how to help themselves."

So the mission concentrates on buying things. Thus, in 1954, it donated $1,539,000 worth of steel for warehouses. Last fall, this steel was still in the Calcutta, India, warehouse untouched. Meanwhile, an additional four million dollars was approved to buy more steel for more warehouses.

In Thailand, a 200-mile asphalt road was undertaken as a one year, 6 1/2 million dollar "dramatic demonstration" of United States efficiency. Now, two and one-half years later, the cost has reached 18 million merely for the first half of the road. The "dramatic demonstration" will not be completed until 1958.

On this job, says the Congressman, "machine operators make $700 to $800 a month, plus 15 per cent for being overseas, plus $300 living expenses, plus overtime. None pays an income tax. "And now", he concludes, "75 additional high-priced men are being sent to Thailand to join those already there". What with $800 a month, plus allowances, and no income tax, aren't you surprised that only 75 and not 7500 Americans are now on their way to Thailand?

In this magazine article, Congressman Meader has space enough for only a few of these insanities, but you will now be able to find more and more of the same in a sensational new book called "The Great Giveaway" by Eugene Castle. (Henry Regnery Company, 20 West Jackson Blvd., Chicago, Illinois--$3.50.)

This devastating analysis of the Foreign Aid program will be unveiled in all book stores on April 15, a good day certainly for the appearance of this masterful exposition of willful wholesale, world-wide waste. Here, for instance, you will find what 300 million dollars of your money has done to stop Communism in Indonesia, where President Sukarno has just cut his ties with Democracy and officially opened his Indonesian cabinet to the Reds.

Then, there is Bolivia, where the Marxist government confiscated the property of American citizens in 1952 and has since been rewarded with 160 million dollars in American "anti-Communist" aid.

Many of you heard the distinguished author of this book on this program last October 7. In "The Great Giveaway" he follows the golden trail of your misspent money to the far corners of the world. It leads him, as it will lead you, to some suspiciously strange places and to some ironical and humiliating conclusions.

If the revelations of "The Great Giveaway" leave you sick in the stomach, the following quotation may or may not serve as a comforting sedative: "It is essential that the advanced countries should render aid--real and prolonged aid--to the backward nationalities in their cultural and economic development". Otherwise "it will be impossible to bring about the peaceful co-existence--of the various nations and peoples--within a single economic system that is so essential for the final triumph of Socialism." Who said that? Joe Stalin. (Marxism and the National Colonial Question, Pages 115 and 116. Quoted in "U.S.A." March 29, 1957.)

Who is following Stalin's advice? Why your Uncle Sam--using your money, of course. Tell your Congressman that you are against the final triumph of Socialism--and that the time to stop the "great giveaway" of America is now.

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(For Release Midnight, Sunday, October 13th.)

Weekly Broadcast No. 159

DEAN CLARENCE E. MANION

Mutual Broadcasting System

Sponsor: Manion Forum • South Bend, Indiana

October 13, 1957

INTEGRATION ONLY ONE PHASE OF STATES RIGHTS ISSUE

"Live, burning coals on the living-room floor". That is how Communism was described for you over this microphone last week by Louis C. Wyman, the Attorney General of New Hampshire.

Some months ago, the New Hampshire legislature tried to pick up these burning coals and throw them back into the fireplace, but this legislative action was restrained by the United States Supreme Court.

In one decision after another, the Supreme Court has recently insisted that the burning coals of Communism are harmless figments of our excited popular imagination. If the burning coals are real, they will set the house on fire.

At that point, says the Court, we can take remedial action, not before. Thus, in a graphic allegory did Attorney General Wyman describe the net effect of recent Supreme Court decisions dealing with Communism. He called these decisions "distressing, disturbing and alarming". He is particularly distressed by the decision which denied the sovereign State of New Hampshire "even the right to ask questions in aid of legislation to curb subversion in the colleges". (Sweezey v. New Hampshire, 354 U.S. 234.)

From across the country, in Arizona, comes another warning against this judicial encroachment upon Constitutional States Rights. The Honorable M. T. Phelps, Senior Justice of the Arizona State Supreme Court, says:

> "It is the design and purpose of the (United States Supreme) Court to usurp the policy-making powers of the Nation. . . . By its own unconstitutional pronouncements, it would create an all-powerful, centralized government in Washington and (the) subsequent destruction of every vestige of states' rights expressly and clearly reserved to the states under the 10th Amendment of the Constitution.
>
> ". . . Regardless of what we, as individuals, may think about the justice or injustice of segregation, I assert without hesitation or reservation that the decision was not based upon logic or law.
>
> "I further charge that the processes followed in reaching the decision's conclusion violate all procedure of due process known to American jurisprudence. . . . If the Court is much longer permitted to destroy states' rights by a process of attrition, as it has been doing, we will see Washington clothed with powers so strong that the people will be as helpless to curb its tyranny over them as they are in Russia today. . . .

"I honestly view the Supreme Court, with its present membership and predilections, a greater danger to our democratic form of government and the American way of life than all forces aligned against us outside our boundaries." (Quoted on page 1, The Arizona Republic, Phoenix, Arizona--September 19, 1957.)

Strong language, certainly. And the fact that this criticism of judicial usurpation comes from the Senior Justice of a State Supreme Court forces lawyers and laymen into serious studied consideration of what the Supreme Court of the United States is doing to our American form of government.

As Justice Phelps indicates, the desegregation decision of 1954 is the most serious and spectacular departure from established precedent that the United States Supreme Court has ever made. We will be measuring the disastrous effects of this decision upon the internal peace and order of our country for unnumbered years to come.

Nevertheless, we must resist the emotional urge to center our critical consideration of the Supreme Court's present and future place in our American way of life upon this one explosive example of judicial legislation. For a proper determination of the present and future course of the Supreme Court, we must view it in the revealing perspective of the Court's past history.

What, if anything, distinguishes the present Court from its predecessors? Where and when, if ever, have the Supreme Court Justices of our time departed from the cannons of Constitutional construction that guided Supreme Court Justices in days gone by?

For the immense good fortune of lawyers and laymen who are unable or incompetent to make this historical comparison, an excellent concise and reliable guide is now available. It has been written and published by Hamilton A. Long, of the New York Bar, after years of dedicated and exhaustive research. It bears the title, "Usurpers--Foes of Free Man". (Post Printing Company, 18 Beekman Street, New York, N. Y.--$1.00.)

In substance and in my own words, here are some of Mr. Long's simple but nevertheless profound conclusions: The Supreme Court cannot change the Constitution of the United States. The Constitution was made by the people of the several states and only these people, acting in and through their respective states, can change the Constitution by amendment.

The Court cannot make or change the state and Federal laws that govern the American people. These laws are made by Congress and the state legislatures. It is of the essence of our freedom that we are governed by the Constitution and by the laws made pursuant to the Constitution.

In a condition of freedom, we are not governed by men, be they Presidents, Governors, Policemen or Supreme Court Justices. On the contrary, in our Constitutional system, all of these and other officials are governed and controlled in their official actions by the Constitution and laws of the country.

If we were governed not by laws, but by the individual judgments of men, our liberty, property and security would be in constant jeopardy, because the personal judgment of governing officials in various circumstances would be unpredictable and no citizen could ever be sure that he could follow this or that course of action with impunity. In a condition of freedom, therefore, we must be governed by published, ascertainable laws, so that we may know at all times the full extent of our legal obligations and the legally established penalties for each and every transgression.

The Courts, including the Supreme Court, are authorized in proper cases to construe the Constitutions and laws where such a construction is necessary to determine the Constitutional rights and legal obligations of those persons who are parties to each lawsuit.

COURT RESTRICTED TO CASE AT HAND

Each and every Court is thus restricted to a determination of the rights and obligations of the parties before it in each and every case. It can order these parties to comply with its ruling, but it cannot "order" anybody else to do so.

A decision by the Supreme Court in a particular case is practical notice to all concerned that future cases involving the same issues will be decided by that Court in the same way.

It is expedient, therefore, for lower courts to follow the judgment of the Supreme Court in similar cases. Thus, for practical purposes, the accumulated Constitutional constructions of the Supreme Court have been accepted through the years as a permanent body of "Constitutional Law".

From the beginning of our national history, business and social relationships have been built confidently and permanently upon this doctrine of "stare decisis"--the doctrine that the decisions of the Supreme Court on Constitutional questions shall stand as precedents for future guidance.

For 150 years, the guiding principle of these important Constitutional constructions by the Supreme Court was to give effect to the intent of the framers of the Constitution and of the people who adopted it.

As one distinguished commentator expressed it: "A court . . . which should allow a change in public sentiment to influence it in giving to a written Constitution a construction not warranted by the intention of its founders would be justly chargeable with reckless disregard of official oath and public duty." (Constitutional Limitations, Thomas M. Cooley--1927 Edition, page 124.)

In its long and important history, in order to settle the interests of the parties before it, the Supreme Court has found it necessary to construe the Constitution many times. Once the intent of the framers has been determined in this way, the construction was fixed for the future and taken as permanently settled.

Mr. Long contends, and his careful analysis of the cases is convincing, that, between 1789 and 1937, the Supreme Court deliberately reversed its own construction of the Constitution only once. (Legal Tender Cases, 79 U.S. 457.)

Then, in 1937, came the judicial revolution. From that point forward, Constitutional law as developed by the Supreme Court has been a course in the variable winds of current events. The doctrine of "stare decisis" was cashiered and the Constitution became as flexible as the changing mood of each successive Justice cared to make it.

One such changeable Justice finally generated real alarm over the growing inconsistency of the Court's decisions. Said he: "The reason for my concern is that the instant decision, overruling that announced about nine years ago, tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only." (Justice Roberts--Smith v. Allwright, 321 U.S. 649, 669-670.)

SUPREME COURT BECOMES LEGISLATURE

In a public address delivered in 1949, Justice Douglas, who maintains an Olympian disregard for the Constitutional constructions of his illustrious predecessors, sought to make a virtue of the Court's consistent inconsistency. But the fact remains, as Mr. Long shows, that when the doctrine of "stare decisis" was discarded by the Supreme Court, the Justices resigned their judicial responsibilities and resolved themselves into a super-legislature which makes laws instead of judging them.

It is small wonder, therefore, that, after twenty years of this unbridled judicial legislation, the Court no longer makes any pretense of restricting its rulings to the parties and pleadings before it, but proceeds to lecture Congress and state legislatures on the proper composition and conduct of legislative investigating committees and passes the complete implementation of its desegregation decision into the administrative discretion of local Federal District Judges.

Thus, ironically, a revolutionary decision made in the name of equal protection of the laws is administered differently in different sections of the country with varying time-tables for complete compliance.

If these variable judge-made, statutory regulations are not obeyed, the President now feels obliged to enforce them with the Army of the United States--a policy the President himself criticized and declared impossible of execution a year ago, when he said: "I believe it is called a 'posse comitatus' . . . that is the thing that keeps the Federal Government from just going around where it pleases to carry out police duties." (President Eisenhower at Press Conference, September 11, 1956.)

You are still right, Mr. President. It is called a "posse comitatus" and the law is found in No. 18 U.S. Code Annotated, Section 1385. It says that anybody who uses the Army or Air Force to enforce the laws of the United States is subject to fine and imprisonment.

But, perhaps the President's advisors do not regard the Court's rulings as "laws of the United States" and, if that is the President's position, then how are the people of Little Rock expected to regard the Court's rulings? Supreme Court Justice Phelps, of Arizona, said that he views "the United States Supreme Court with its present membership and predilections as a greater danger than all forces aligned against us outside our boundaries".

It seems that the present Supreme Court is doing more than to deny the states the right to pick up the burning coals from the living-room floor. Whether it knows it or not, the Court is fanning those burning coals into flaming, class-conscious violence made to order for the purposes of the Communist conspiracy.

It is time for all of us--including the President--to remember that no operation is successful wherein the patient dies.

(For Release Midnight, Sunday, October 20th.)

Weekly Broadcast No. 160

MR. HERBERT V. KOHLER

President, Kohler Company, Kohler, Wisconsin

Mutual Broadcasting System

Sponsor: Manion Forum • South Bend, Indiana

October 20, 1957

THE "LABOR MOVEMENT" IN ACTION AT KOHLER

DEAN MANION: Most people believe that labor union strikes are justified as a last resort to improve low wages and bad working conditions. This being so, it is ironical to observe that the longest and most violent strike in American history has been waged against a company which has always paid much higher than average wages and which has been a pioneer in the establishment of shorter hours, new fringe benefits and ever better working conditions for its employees.

What then is the issue in America's longest and most bitter strike? The strike of the U.A.W.-C.I.O. against the Kohler Company, of Wisconsin? Tonight, the President of the Kohler Company has come to this microphone to give you his answer to this question. He is now and has always been deeply conscious of his great personal responsibility in this flaming controversy. His personal convenience, the immediate profits of the Kohler Company and the safety and comfort of Kohler workers would probably have been improved if this man had surrendered to the union three years ago.

But, there is more at stake in this struggle than immediate profits or the convenience, safety and comfort of any of the 2,300 people who are now at work in the big Kohler plant. There is a vital principle of human liberty involved in this epochal strike. The basic question in this prolonged dispute is the issue of compulsory unionism. This makes the Kohler strike a matter of universal interest and nationwide concern.

It is my pleasure to present the man who still refuses to buy peace by compromising the individual liberty of his employees, the President of the Kohler Company, Mr. Herbert V. Kohler, of Kohler, Wisconsin.

MR. KOHLER: Thank you, Dean Manion. The right to strike is a legal right. But, does the right to strike override all other legal rights in this country? Are unions to be especially privileged and above the law? The union shop was one of the demands we refused the U.A.W.-C.I.O.

Compulsory unionism is wrong in principle and in practice. No one should be compelled to join an organization against his will.

It is the workingman who is to be represented, and he is the only one competent to judge the value of that representation. Neither the union nor the employer--nor both together--has the moral right to take that decision away from him.

We have received heartening public support for our position--so much support that the union says it has withdrawn the union shop demand and it is "unfair" of us to say that such a demand was ever made.

But, as late as May 21 of this year, attorneys for the union and the N.L.R.B., in oral arguments in Chicago, asserted that there had been only two "crucial" issues, one of them being "union security", their scented name for compulsory unionism.

The union made "economic demands" on us, but publicly acknowledged that wages was not the principal issue. It was apparent that the union shop and other demands, designed to increase the power of their leaders, was the real goal.

On April 5, 1954, the strike against Kohler Company began. The United Automobile Workers-C.I.O., the striking union, claimed that the pickets numbered 2,500. Whenever non-striking workmen approached the gates, pickets locked arms. Others came on the run, and in a moment there was a milling mob, ten to twenty deep, keeping from their jobs the men and women who wanted to work.

In this mob, menacing, manhandling, kicking and beating the non-strikers, were many strangers, including the goons from Detroit.

The intimidation of non-strikers was only one part of their purpose. A main function of the goons was to intimidate the strikers themselves and keep them on the picket line. For 54 days, mass picketing kept the plant closed.

Several months ago, Walter P. Reuther, at a meeting of the American Institute of Architects, referring to the strike at Kohler, said: "There have been unfortunate acts of violence in the situation there because it has gone on three years and emotions are high." He could scarcely make a more brazenly misleading statement, for the violence and lawlessness started the first day, the first hour, of the picketing.

As in our case, the resort to violence and lawlessness nearly always is deliberate and planned. Even before the strike began, we were warned that we had better capitulate before the "rough stuff" started.

Kohler is a village of less than 1,800. The police force was too small to cope with the horde of pickets. The Sheriff did not try. Day after day, his deputies were fed from the union soup kitchen, and they fraternized with the pickets. The payoff was his reelection, with union backing, in the fall of '54.

FLASH! U. S. SUPREME COURT GUESSES RIGHT!

Hope for law enforcement came when the Wisconsin Employment Relations Board limited the number of pickets and ordered discontinuance of the blockade at the factory entrances. But, it was not until the Attorney General moved for enforcement that the union agreed to obey the order.

The order of the Wisconsin Employment Relations Board was appealed by the union to the State Supreme Court, and finally to the United States Supreme Court, in an effort to deprive the State of Wisconsin of the power to preserve order within its own boundaries.

Fortunately, not only for us but for people everywhere, the W.E.R.B. order was upheld. The United States Supreme Court said: "The states are the natural guardians of the public against violence. It is the local communities that suffer most from the fear and loss occasioned by coercion and destruction . . . . We hold that Wisconsin may enjoin the violent union conduct here involved. . . ."

Don't think, however, that, having lost this case, the union will end the matter. They will continue their efforts to whittle away the law.

Once the lines were open, men and women came streaming back to work--all of them unsolicited. And everyone hired since then has come to us unsolicited.

With the end of mass picketing at the plant, there followed a reign of terror away from the plant--sneak attacks, under cover of darkness. Non-strikers' cars were dynamited. Shotgun blasts were fired into their homes. They were assaulted. In all, there have been more than 800 acts of violence and vandalism calculated to terrorize anyone who dared to work.

Of all the strike indecencies, the picketing of homes was the most outrageous. Men returning from work found mobs of two to five hundred besieging their homes, yelling obscenities, terrorizing their wives and children.

The union in radio broadcasts and in printed publicity was gleeful about these "reception committees", as they called them.

When a circuit court issued an injunction against the union and its officers, the home picketing stopped. Every time a vandal was caught, the union came to his defense, providing bail bonds and lawyers.

One Vinson, a union goon imported from Detroit, was sentenced to state prison for a felonious assault. The union asked its members to send him Christmas cards while he was in the penitentiary.

Another goon--Gunaca--is a fugitive from justice. The Governor of Michigan, for nearly three years, has refused to extradite him. Gunaca is charged with assaulting and breaking the neck of William Bersch, a screw machine operator in our brass division. He died some months later. Bill Bersch was a high school classmate of mine.

In another case, four strikers received jail sentences for felonious assault, and were paid salaries by the union while they were serving time.

On July 5, 1955, a Norwegian ship with a cargo of English clay for our pottery docked at Sheboygan. As preparations were made to unload and truck the clay to Kohler a riotous mob descended on the dock area. The trucking contractor's men were beaten and manhandled, and his unloading equipment was sabotaged. Law enforcement officials made no attempt to restore order.

CANADIAN POLICE DON'T FOOL

The then Mayor of Sheboygan ordered the police to keep Kohler unloading equipment away from the dock. Not one person has ever been arrested, despite the fact that the rioting occurred in full view of the authorities.

One newspaper described the 24-hour siege as "a state of anarchy." The ship was eventually unloaded at Montreal, where the police gave an abortive picket line five minutes to disburse.

But, in Sheboygan, the U.A.W.-C.I.O. had shamefully demonstrated its power over its captive politicians, sworn to enforce the law.

All this squarely presents the question: Should one party to a labor dispute be permitted to take the law into its own hands? If there ever was any merit in the argument that labor organizations were weak and could not bargain on equal terms with employers, that cannot be said of the U.A.W., which boasts of its power to coerce the largest corporations.

We believe we have made at least one contribution to combatting the use of strike violence. We refused to carry on contract negotiations while the union was engaging in mass picketing and open lawlessness. We would not buy peace by rewarding violence.

The N.L.R.B. lawyers were forced to stipulate that our refusal to meet with the union during the period of mass picketing was not a refusal to bargain. You can refuse to negotiate under the duress of illegal conduct.

In addition, we discharged strikers who were guilty of some of the most flagrant and open lawlessness, including union officers who incited and directed the illegal conduct.

Coercive and illegal conduct will cease only when employers make it clear that they will not buy peace by rewarding lawlessness.

Unsuccessful with its violence and vandalism directed at Kohler Company and its employees, the U.A.W. turned to the boycott weapon. Since September 1954, the union has been trying to destroy Kohler Company by injuring those who do business with us.

What the U.A.W. could not achieve directly, it has attempted by the intimidation and threats which underlie the secondary boycott.

But, thanks to the practical support of countless good Americans who have been outraged by the conduct of the U.A.W.-C.I.O., our business is going along prosperously and our volume of sales has increased each year since 1954.

But, make no mistake about the purpose of the U.A.W. They would destroy us if they could, and they would then cite us as an example to other employers that anyone who resists their demands will be condemned to economic death.

It seems to me that, if the philosophy of force and coercion is supinely accepted, industry is speeding the time when it will be unable to operate with any regard for sound economics.

To compromise with lawlessness is to accede to a dictatorship diametrically opposed to a sound employer-employee relationship.

Too much power, unrestrained by the law, and much of it contrary to and in defiance of the law, gravely imperils our economy, our society.

Today, while it is difficult but not impossible, we must have the courage to resist coercive union monopoly.

DEAN MANION: Thank you, Mr. Herbert V. Kohler. Coercive union monopoly is not a threat merely to the Kohler Company and to Kohler workers. Coercive union monopoly is now a major threat to the continuity of American freedom. We shall say more about that next week.

(For Release Midnight, Sunday, May 11th)

Treason

Weekly Broadcast No. 189

DEAN CLARENCE E. MANION

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

May 11, 1958

OUR INTERNATIONALIST FOREIGN POLICY--ROAD TO RUIN OF CIVILIZATION

Death is a grim reaper. The bitterness of its random harvest is impressed upon any patriot who thumbs through old issues of the Congressional Record.

There was Senator Robert Taft, and Senator Pat McCarran, and finally Senator McCarthy. Think of the difference that their combined presence could make upon the rough course of current events.

Over this microphone last week, we heard the voice of Senator McCarthy urging us to work for a rejuvenated foreign policy. Senator Taft had previously declared that we cannot solve any of our pressing problems until "we come to grips" with this foreign policy upon which all other policies now depend.

In his very last political speech, released from his sick bed in Cincinnati (May 26, 1953), the Ohio Senator urged the United States to "go it alone" in Korea and forget about the United Nations. The dramatic news about Taft's fatal illness obscured this final warning to his countrymen.

If we had heard and followed that advice, we would have won the Korean War. North and South Korea would now be united in freedom and the resulting impact upon the Red Chinese government would have sent that godless despotism reeling into a full-blown anti-Communist revolution.

How many of our frustrating failures at home have been attributable to our persistent stubbornness in following a proved pattern for failure abroad? The answer is: "All of them."

Taft was right. Today all of our policies depend upon our foreign policy and, for at least 15 years, our foreign policy has been a continuous, colossal, catastrophic flop.

Forty-five years ago, our foreign policy was actually and literally as foreign to the average American as it was to the United States itself. Our tax, tariff, labor, money and other problems were completely home-grown, and we tackled each of them with the practical purpose of doing what was best for the people of the United States.

With that simple, sensible motivation, our governmental policies preserved American freedom and protected our national independence while the prosperity of the country was steadily increased.

It is standard procedure, at this point, for somebody to break in and say that the world began to shrink 45 years ago and our statesmen were consequently forced to lift

their sights far beyond our borders. That is something less than a half-truth. Our statesmen were induced to lift their sights to foreign lands but not by any figurative shrinkage in our geographical boundaries.

The force upon our statesmen was applied by professional Internationalists who were determined to make American resources support the falling arches of imperialistic interests all over the world. Today these pragmatic propagandists are still on the same job. For them, the "facts" of international life are the emotionalisms that they fabricate periodically to fit the necessities of each succeeding crisis in their grand design.

It was this phalanx of illuminated intelligence that turned our sauerkraut into "liberty cabbage" while we dethroned the German Kaiser and made "the world safe for democracy." Twenty years later, this same cogent coterie persuaded us to lend the Allies some tools so they could finish the job against Hitler.

For the past ten years, this identical clique of self-serving Internationalists has been busy galvanizing the strength of what they call the "Free World" against the menace of International Communism.

We are told that the "Free World" countries can win out over the Soviet block only if they work together. In the course of this "Free World togetherness", the United States is expected to abolish its tariffs, repeal its immigration laws, arm its allies, finance the neutrals, conform its internal and external government to International standards fixed by such things as WHO, ILO, GATT and UNESCO, then proceed to make all of this permanent by periodic assignations in "co-existence" at the Summit with the dreaded Communist enemy.

For ten years this has been the sustained direction of our foreign policy upon which all of our other policies are made to depend. In the promotion of this program for our national suicide, the "liberty cabbage" salesmen are just as slick and seductive now as they were 40 years ago.

INTERESTS OF UNITED STATES? HUSH!

At this point, they have made it unfashionable for our President or our Secretary of State to express any anxiety about the special interests of the United States. All of our official concern now is with the safety of the "Free World".

Last October 26, President Eisenhower himself, in concert with the Prime Minister of Great Britain, said this: "The concept of national sovereignty is now out of date . . . the countries of the Free World are now interdependent."

This grand alliance of unbreakable interdependence is supposed to strike terror into the heart of the Communist enemy and carry comforting confidence to us and to all other people in this "Free World". However, when one sets out to measure its boundaries, he finds that for all of the practical purposes, such as paying the check, this big "Free World", so-called, has suddenly shrunk to the dangerously declining dimensions of the American taxpayer.

It is American money which pays all of the bills and American soldiers who stand guard at the lonely, inhospitable perimeters of the Iron Curtain. Now, at long last, it is our rising national debt and our deepening economic recession which floodlights the fraud of this fatal foreign policy upon which all other policies depend.

The important point is not that this prolonged foreign policy is futile and that it will eventually be fatal to the United States. The important point is that this futile fatal foreign policy is deliberately fraudulent.

Official implications and popular impression to the contrary notwithstanding, the purpose of this foreign policy is not to destroy the big bad Communist enemy but to preserve that enemy and use it indefinitely as a built-in excuse for the progressive destruction of the solvency, the sovereignty and the Constitutional government of the United States.

For the slick super-salesmen of our present Internationalist foreign policy, the greatest of all possible disasters would be the sudden collapse of the Kremlin dictatorship, the revival of national independence in the subjugated countries of Russia and Eastern Europe and an explosive anti-Communist revolution in China.

If that happened, it would dissolve the whole rationale of the Internationalist crusade against American independence. It is the very real possibility of this eventuality that spurs the present drive for a "summit conference" and propels the promotion of cultural exchanges with the Soviet Union.

The big disturbing nightmare of the Internationalist cabal is the imminent possibility of another Hungarian revolution that might melt down the whole Iron Curtain from the inside. Thus, when sparks of anti-Communist resistance fly up in Poland, the Internationalists see to it that more American aid is rushed to Gomulka to stabalize his tenuous tyranny.

Tito cannot insult us loud enough to deflect the flood of American money that has kept him in power for years. We constantly ship strategic materials to England and France that are practically earmarked for transhipment to the Kremlin and Red China.

The Internationalists are not afraid of Soviet strength. What alarms these alien-minded fabricators of our foreign policy is the possibility that the Red dictatorships may collapse.

An ever more menacing Kremlin is very useful to the whole Internationalist program. For instance, what would these Internationalist promoters of GATT and its continued control of our reciprocal trade do now without the convenience of this so-called Communist threat to our world markets?

This explains the current nationwide publicity buildup about Russia's growing economic, scientific and industrial strength. The Internationalists can make everybody believe this, except the Russian people who know better by first-hand experience.

The purpose of another "summit conference" is not to work out mutual agreements between this country and the Kremlin. Mr. Dulles himself admits that the Reds regard such agreements as crusts of bread which are made to be broken.

BIG IDEA IS TO PROMOTE KHRUSHCHEV

The purpose of a "summit conference" is to provide desperately needed prestige to Khrushchev & Company, inside the Iron Curtain. Once more, the restless slaves need to be demoralized, discouraged and subdued by more official international recognition of their slavery.

The captured Czechs, Slovaks, Poles, Hungarians, Latvians, Lithuanians, as well as the Russian people, need to be assured that resistance is useless, that their hated killer, Khrushchev, is not really a killer but a great statesman who is accepted by President Eisenhower as an equal.

This is the crime against truth and justice that our President is asked to commit as he climbs to the "Summit" with the bloody butcher of the Ukraine--the completely self-appointed jailer of one-third of the world.

President Eisenhower is said to like Wild West stories. For diversionary reading on his way to the "summit conference", I recommend a true story of the far Wild East and of the frozen Arctic North--the sensational story of life, death and mass rebellion in the Communist Slave Camps. This book is the personal experience of John Noble, an American who was held as a slave by the Soviet Government for nearly ten years. ("I Was A Slave In Russia"--Noble, Devin-Adair - $3.75)

I do not recommend this story to children or to men and women with weak stomachs, but, for those prospective "summit conferees" who are preparing to deal officially with the Soviet gangsters as if they represented a civilized government, this book is a "must".

Personal sin, immorality, even depravity are to be expected in some areas of our tainted human nature, but never in history, before the advent of Soviet Russia, has a whole society of people been corralled and ruled on the basis of beasts.

This book is no series of lectures on law and life in the Soviet Union as they would be delivered by a visiting Soviet professor or by one of our gullible citizens who has been "culturally exchanged" under the "benign" surveillance of the Soviet government.

This is the raw story of one of the 25 million political prisoners now being systematically worked to death in the slave camps of Communist Russia. The author is one of the very few who managed to live and tell about it.

Those who are misled by Internationalist propaganda concerning the great and growing industrial powers of the Soviet Union will be surprised to learn that the Communist leaders distrust labor-saving machines because they place too much power for sabotage in the hands of the operating workman. In a realm where everybody is suspected of disloyalty, and with good reason, the risk is too great.

The compelling point of Noble's harrowing, horrible ten-year experience is this: Any civilized man who consciously aids the continuity of this hell-born system of human degradation called Communist government is inviting the terrible retribution of history here on earth and God only knows what else hereafter.

Those fabricators of our Internationalist foreign policy who use American aid, diplomatic recognition and "summit conferences" to keep this evil thing alive are accomplishing more than the eventual destruction of American independence. They are planting a short-time bomb under the foundations of human civilization. May God have mercy on their souls.

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From Southern States Industrial Council, Nashville 3, Tennessee
For Release: May 18, 1958 No. 150

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

Urban Renewal

SOME OBSERVATIONS ON SLUM CLEARANCE

Everyone is -- or should be -- against slums. Constant effort should be made to get rid of them. But in attempting to get rid of slums, we should be quite careful that we do not get cause mixed up with effect and place the "cart before the horse." We should also be quite careful that the cure is not worse than the disease.

Most slum clearance thus far has been handled by housing authorities that built groups of shiny new apartments for "low-income" and "problem" families. According to reports coming in from over the country after about twenty years of effort to raise the level of such families in this manner, many of the projects have done nothing more than develop into not-so-shiny new slums.

In fact, even where this result has not been so apparent, there has long been a lurking suspicion in the minds of many people that the building of these new projects did not abolish the slums; it simply changed their location.

All of which points up to something that we should have known all along; namely, that new buildings do not change people. It is the people in a slum who make the slum, not the buildings. The same people moved into new buildings will simply make new slums. Or, if they are uprooted by the new buildings from their old habitations, they will either move into other slums or create new slums wherever they move. In other words, the slums remain with us.

We have been placing the cart before the horse; we have been placing too much emphasis on buildings and too little emphasis on people. But that is a mistake typical of the social planners, who are prone to jump to the erroneous notion that they can automatically improve the condition of people by outside agencies. It should be noted,

by the way, that this is a welfare-state notion, not a religious one. Christianity and other religions teach that moral and spiritual progress is an inward matter, that such progress is not conferred upon one by the beneficence of any state, welfare or otherwise.

There is another pet of the social planners that deserves some attention -- and that is urban renewal. The rebuilding and face-lifting of cities is in many cases highly desirable, but that does not mean we can ignore the means in attaining the end.

Under the urban renewal program, the Government pays for two-thirds of the city's loss incurred in buying up slum land, demolishing old structures and selling sites below cost to private builders for development. This is very popular with the welfare-staters, who like to get the Government into as much of everything as possible, and also with the politicians, who can point with pride to what they are doing for the city and that they are rebuilding their cities at almost "no cost" to the local taxpayers.

What actually happens in urban renewal is the virtual seizure of one man's private property for resale to another private individual, whereby is taken away the basic right of the individual to own and control his own property. Nor can this be excused by the right of eminent domain, for this only applies to property that is condemned for public use, not to property that is to be resold to private interests. There is a distinct question of constitutionality here. When Senator Sam J. Ervin, Jr. was on the Supreme Court of North Carolina in 1952, he wrote this opinion:

"If I had my way, I would (strike) down as unconstitutional a statute giving housing authorities the power of eminent domain. Under the statute, a housing authority condemns the property of one person to provide dwellings for others. No amount of plain sophistry can erase the plain fact that this is taking the private property of one person, without his consent, and devoting it to the private uses of another . . . "

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(For Release Midnight, Sunday, June 1st)

Weekly Broadcast No. 192

THE HONORABLE JOHN L. McCLELLAN

United States Senator from Arkansas

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

Labor Racketeering

June 1, 1958

NOW THAT UNION ABUSES ARE KNOWN--WILL CONGRESS ACT?

DEAN MANION: Long ago, the United States Senate came to be known as the greatest deliberative body in the world. It still deserves that reputation, but, in recent years, the deliberative process has given ground before the great and continuing pressure of urgency.

In the United States Senate now, there is less and less time for the fine art of forensic persuasion. The strength of argument now yields to the force of Senatorial leadership. Ordinarily, the most important measures stand or fall upon the endorsement or condemnation of certain key Senators who have earned the respect and esteem of their colleagues. My guest tonight is one of these key men.

The shape of labor legislation in this session of Congress and the next will depend in large measure upon his ultimate determination of what is right and proper. His name is permanently identified with one of the most sensational, as well as one of the most important, Senate investigations in modern times. Whoever reads a large part of this bulky record will understand the constant trial to which the Chairman of this investigation has been subjected.

What does he think of his Committee's disclosures and what will Congress do about them? For this audience and for myself I am most grateful to our famous guest for his consent to come here and answer this all-important question. It is my honor and pleasure to present the distinguished Senator from Arkansas, the Honorable John L. McClellan.

SENATOR McCLELLAN: Thank you, Dean Manion. It is a great privilege and I am indeed thankful for the opportunity you have afforded me to appear on the Manion Forum.

I assume our listeners would like to have me comment on the work of the Senate Select Committee investigating improper practices in the labor-management field, and discuss legislation that I may think is needed to remedy some of the unsavory conditions that our investigations have disclosed. The Committee's task is one of great magnitude and it has really been at work.

Since the 26th of February, 1957, (over a period of fifteen months) the Committee has held 146 days of public hearings and taken the testimony of 715 witnesses. The record of these hearings is spread across more than 25,000 pages of original transcript.

Members of the Committee staff have traveled more than 700,000 miles and conducted approximately 18,000 interviews with prospective witnesses in 44 of the 48 states. In addition, our accountants have examined thousands of accounts, records and files of both labor organizations and business enterprises.

To date, the Committee has received, analyzed and screened considerably in excess of 100,000 letters. More than 75% of these came from labor union members or members of their families. From these letters, we have received valuable leads and much important information. Unfortunately, the Committee has not been, and never will be, able to investigate all of the charges these communications contain. From them, however, and from the testimony before us, an unhappy and tragic story has unfolded.

Most of the sordid revelations of the Committee have been reported to the American people by our various public information media. Accordingly, there is no need for me to restate them in detail on this broadcast.

In summary, I may say the committee has exposed:

(1) the theft, embezzlement, misuse and pilfering of union welfare and pension funds;

(2) extortion, collusion and bribery;

(3) vandalism, violence, threats of physical harm to employers, employees, union members and their families;

(4) fraudulent financial records and the willful destruction of such records to cover up embezzlement;

(5) the "rigging" of elections, denying union members the right to vote by use of force, threats and intimidations;

(6) the calling of strikes and the making of "sweetheart contracts" with management without the knowledge or approval of rank-and-file union members;

(7) the imposition of trusteeships upon local unions unjustifiably and continuing them indefinitely, and the appointment of unreformed ex-convicts, thugs and known criminals to manage and operate such trusteeships;

(8) the infiltration into positions of power and influence in the union movement, in some areas, of racketeers, gangsters and disreputable characters;

(9) organizational picketing to force employees to join a union against their choice and to compel management to coerce its employees into doing so.

We have also heard evidence on the impact of secondary boycotts, mass picketing, improper political activities and other practices that we expect to further develop and report on at a later time.

WORKERS FLAGRANTLY BETRAYED

The vicious practices the Committee has revealed clearly establish a lack of morality, conscience, respect and appreciation for the worth and dignity of American working men and women, and in my viewpoint constitute a flagrant betrayal of trust by men who are in a position where trust and moral values are the very essence of their responsibility.

What the Committee has exposed does not constitute an indictment of the labor movement as a whole. Nor do I intend to convey the impression that all organized labor

is dominated by criminal elements. There are many good unions that are run for the benefit of their members and whose affairs are administered by men of conscience and integrity.

But the evils I have described must be eradicated. They can no longer be tolerated or condoned by labor leaders who have a proper sense of duty and obligation to the working men and women of this country, nor can they be ignored by responsible governmental authority.

These conditions must be dealt with. Dedicated leadership of organized labor, however conscientious and determined it may be to discover, expose and drive out the crooks, racketeers, hoodlums and undesirable elements who have reached positions of influence and authority in some labor unions, simply do not have either the capacity or the power to do it.

The duty therefore rests squarely upon the Congress of the United States to enact adequate laws to safeguard the rights, the interest and the welfare of the workers, of the employers and of the public at large. This duty the Congress must not shirk. It must be met. We have no other alternative except by inaction to condone that which in all good conscience we must condemn and should prevent.

A dozen or more bills have been introduced in the Senate dealing with various aspects of the problem. The Senate Labor and Public Welfare Committee is now holding public hearings and processing these measures, and it is expected that the Committee will report out a bill to the Senate within the next ten days.

I personally have introduced a rather comprehensive bill, S. 3618. Among other things, it would require all unions to register with the Secretary of Labor with a statement revealing full information regarding the governmental and financial structure of the union and accompanied by a copy of its bylaws and constitution. To be eligible to register, its constitution and bylaws would have to meet certain minimum requirements. Among them are:

(1) the guaranteeing of democratic processes to its members by the holding of regular membership meetings;

(2) the election of all officers of the union and fixing their salaries by secret ballot;

(3) fixing their terms for a period of two years;

(4) providing for the removal of union officers for cause;

(5) the election of delegates to national conventions by secret ballot;

(6) that all officers handling union funds be placed under bond;

(7) that the minutes of meetings, detailed financial records and other records be made available for inspection by members of the union, and that such records be preserved for a period of six years;

(8) requiring each member of the union to be furnished with a copy of any collective bargaining agreement affecting his employment and that all ballots cast in any election be retained for one year;

(9) prohibit the loaning of union funds to union officers, or to any business in which they are interested.

WOULD MAKE SECRET BALLOT INVIOLATE

It would further prohibit organizational picketing until there had been an election by the employees designating a specific union as its bargaining agent.

It would make persons who are under civil disability for conviction of crime ineligible to serve as officers, representatives or agents of any union (this provision is essential and will surely help to drive out the ex-convicts and gangsters who have infiltrated the labor movement).

Another vital feature of my bill is that it would require unions to obtain the approval of a majority of its members, by secret ballot, before calling a strike or entering into a collective bargaining agreement with management.

The bill provides heavy criminal penalties for theft, bribery, collusion and extortion.

Any union failing to register and to keep such registration current, as the act provides, or fails to meet the prescribed minimum requirements in its constitution and bylaws, would be ineligible to serve as a collective bargaining representative. Such union would be denied the services of the National Labor Relations Board; and, for any period of time that it was unregistered or not in compliance with the registration provisions of the act, it would be denied the tax exemption privileges now granted to labor organizations.

I make no claim that this bill is all that is needed in the way of legislation. It is not. Nor do I contend that it provides the only approach to a solution of the problem. It may not. But I do insist that, if it is enacted into law, we will have taken a major step toward correcting the unwholesome conditions that now prevail and in eliminating many of the evils the Committee's investigation has exposed.

The big questions are: Will Congress act? I believe it will. Does the Congress have the moral and political courage to face up to the issue and meet its responsibilities? I believe it does. Law and order, common decency and the very supremacy of our government are now being challenged by criminal and disreputable elements who would gain control and domination of the labor movement and use that control and power to subjugate and exploit the working people of this country for their own illicit personal gain and profit. A racket-ridden, gangster-controlled economy in this country must not happen. It can be prevented if the Congress will only face up to this challenge and meet its responsibility.

If you agree with me--if that is what you want done--let your Senators and Congressmen know how you feel about it.

DEAN MANION: Thank you, Senator McClellan. This audience now knows what to do if it wants action against the threat of a racket-ridden, gangster-controlled economy in America.

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FOR RELEASE
Thursday, P.M.
June 26, 1958

Humacao, Puerto Rico, will eliminate a downtown slum of almost five acres in its "El Placer" urban renewal project area with the aid of a $315,700 Federal loan and a $257,400 capital grant approved today by Urban Renewal Commissioner Richard L. Steiner.

The project area, three blocks northeast of the town plaza and central business district, will be redeveloped to provide sites for single-and two-family homes.

The area is characterized by small blocks, narrow and congested streets, and lack of adequate public utilities. Of the 118 dwelling units in the area, approximately 85 percent are substandard. The 104 families now living there will be offered relocation in decent, safe, and sanitary dwellings, as required by law.

Estimated net cost of the project is $375,800. This represents the difference between the cost of acquiring, clearing, and preparing the land for its new uses and the return from its resale at fair value. The Federal capital grant of $257,400 covers two-thirds of this deficit and includes an amount for aiding in the relocation of site residents. Humacao and the Commonwealth will provide the remaining one-third in cash, land donation, and public improvements.

The Federal loan and capital grant are authorized by Title I of the Housing Act of 1949, as amended.

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For further reference: Cesar Cordero Davila, Executive Director
Puerto Rico Housing Authority
P. O. Box 397
Rio Piedras, Puerto Rico.

(For Release Midnight, Sunday, July 27th)

Weekly Broadcast No. 200

HONORABLE BARRY M. GOLDWATER

UNITED STATES SENATOR FROM ARIZONA

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

July 27, 1958

KENNEDY-IVES BILL A "HOAX ON THE PUBLIC"

DEAN MANION: More than eighteen months ago, the now famous McClellan Committee of the United States Senate began to investigate abuses in the field of labor management relations. The disclosures of this inquiry have made many miles of sensational headlines.

From time to time during the course of these hearings, this audience has heard from three members of the McClellan Committee. Tonight I am pleased to present another member of this distinguished group of Senators. By his courageous and skillful penetration of the really vital issues involved in this explosive investigation, my guest tonight has earned the admiration and gratitude of everybody who feels that this expensive and exhausting inquiry should now produce corrective and protective legislation for labor, management and the American public.

What will Congress do about all these startling revelations? To answer this question, it gives me pleasure to present one of the most colorful, conscientious and constructive members of the United States Senate, the Honorable Barry Goldwater, of Arizona.

SENATOR GOLDWATER: Dean Manion, I appreciate this opportunity of appearing on your Forum to talk about the all-important subject of labor legislation. I am sure that many of your listeners are interested in an appraisal of the labor bill that passed the Senate on June 17, 1958, and is now resting on the desk of Sam Rayburn, the Speaker of the House of Representatives.

During both consideration of the bill and since its passage by the Senate, many statements have been made as to its effectiveness or lack of effectiveness. These comments have ranged from complete condemnation of the bill as weak and meaningless to criticism that the bill was strongly anti-union in character. I would like to discuss and clarify my own position on this particular piece of legislation.

The bill, sponsored by Senators Kennedy and Ives, was favorably reported by the Senate Labor Committee on June 10, 1958, by a vote of 12 to 1. I alone voted against reporting it.

Although joining in the vote to report, Senators Smith, Purtell and Allott reserved the right to file supplemental views, while Senators Thurmond and McNamara submitted individual views.

I voted against the bill in committee because I strongly believed that the measure was weak and innocuous and should have been strengthened before being sent to the Senate floor. The debate in the Senate, which lasted for five days, was vigorous and sometimes heated, and did result in some improvements in the bill. But these were far from sufficient to transform it into the effective legislation which was needed in this area.

During the debate, 47 amendments were offered and 28 adopted, which itself rather conclusively demonstrates that the bill as reported by the Committee was seriously inadequate. Unfortunately, many of the 19 amendments which were rejected were those which would have made the measure a good one.

Although I voted in favor of the bill's final passage, I did so in the hope that the House of Representatives would correct the measure along the lines of the rejected amendments before permitting it to go to the White House. Many of these rejected amendments were included in the substitute bill which I offered in committee and which was voted down. I think it both appropriate and necessary that I point out the deficiencies in the pending legislation.

We are all aware that the impetus for labor legislation came from the disclosures of the McClellan Committee, of which I am a member, and through the insistence of Senator Knowland that legislation be adopted to protect the rights of workingmen and union members against abuses by their organizations and union leaders.

I, myself, frequently stated on the floor of the Senate that the recommendations of the McClellan Committee must be given great weight in any bill that the Congress enacted. We must never forget that the McClellan Committee has spent almost a million dollars and operated for more than 18 months in an effort to reveal the abuses which exist in this area.

Senator McClellan, himself, on this very program, recently stated and I quote: "...the Committee has held 146 days of public hearings and taken the testimony of 715 witnesses. The record of these hearings is spread across more than 25,000 pages of original transcript. Members of the committee staff have traveled more than 700,000 miles and conducted approximately 18,000 interviews with prospective witnesses in 44 of the 48 states. In addition, our accountants have examined thousands of accounts, records and files of both labor organizations and business enterprises. To date, the Committee has received, analyzed and screened in excess of 100,000 letters. More than 75 per cent of these came from labor union members or members of their families."

McCLELLAN COMMITTEE RECOMMENDATIONS IGNORED

It would seem reasonable, in the face of these activities of the McClellan Committee, that its recommendations for legislation would be regarded as a minimum basis for any effective law. Yet, shockingly, and I use the word advisedly, the United States Senate refused to act on two of the McClellan Committee's five recommendations and actually adopted a provision directly contrary to a third.

The McClellan Committee had recommended a solution of the so-called "no man's land" problem in labor disputes. As a result of Supreme Court decisions, labor cases which the NLRB refuses to entertain may not be handled by the states. As a result, many businessmen, as well as labor unions, find themselves in a legal no-man's land, that is, with no tribunal or judicial forum before which to plead their case.

To solve this very troublesome and important problem, the McClellan Committee recommended that the states be authorized to assume jurisdiction over cases in which the NLRB has refused to do so.

In the face of this specific recommendation, the Kennedy-Ives bill, in the bureaucratic manner made familiar to us by the New Deal, provided that the Federal Government, through the NLRB, must take jurisdiction over all cases and completely excluded the states from having any voice in these matters.

The McClellan Committee, further, specifically recommended that union funds be treated as trust funds and that union officers handling such funds be cloaked with a fiduciary responsibility for such handling. An amendment to this effect was rejected.

The McClellan Committee also specifically recommended legislation to insure union democracy by requiring secret ballot elections of union officers and "all other vital union matters". Senators McClellan, Knowland, Mundt and myself--yes, and even Senator Ives--all had bills designed to carry out this recommendation.

Nevertheless, the Kennedy-Ives bill, although requiring secret ballots for the election of union officers, rejected any amendment to require such elections on "other vital union matters".

Since the bill was passed by the Senate, further hearings before the McClellan Committee have revealed considerable penetration and infiltration of labor unions by notorious gangsters and underworld hoodlums. These revelations reinforce my demand for strengthening amendments to the Kennedy-Ives bill, which does little or nothing to cope with this problem.

It is clear that the Senate, in accepting the Kennedy-Ives bill, not only rejected the well-conceived proposals of the Administration but, in fact, repudiated its own creation, the McClellan Committee, which had spent so much time, effort and money in disclosing the facts which demonstrated the need for strong and effective laws.

Up to now, I have emphasized the shortcomings of the Kennedy-Ives bill when measured against the recommendations of the McClellan Committee. The picture would be incomplete without pointing out the failure of the bill to carry out the important recommendations of the Administration. Thus, there was no tightening of the secondary boycott provisions of the Taft-Hartley Act and no limitation on organizational or recognition picketing by minority unions.

In this type of activity, a business which is not involved in a labor dispute and whose employees do not wish to join or be represented by a union is nevertheless surrounded by a picket line. This usually causes severe financial loss and in many cases forces employees and employers to accept collective bargaining contracts with unions against their will.

Amendments to correct these grave abuses along the lines recommended by the Administration were offered on the floor and were also included in my substitute bill. They were rejected by a majority of both the Labor Committee and the Senate.

Dean Manion, would you like to have my opinion as to what the Congress is going to do with the mass of evidence collected by the McClellan Committee--the 25,000 pages of original transcript, 18,000 interviews and the testimony of 715 witnesses? It is my considered opinion, after observing the debate on the Kennedy-Ives bill, that this information will end up in the legislative ash can along with every other proposal that is not approved by the leaders of labor in this country.

SENATE JIGS TO TUNE OF LABOR BOSSES

I was greatly disturbed by one aspect of the proceedings which resulted in the passage of the Kennedy-Ives bill. From the moment that Senator Knowland, in April of this year, forced the Democrat leadership and the majority of the Labor Committee to promise to bring a labor bill before the Senate, one thing was constantly reiterated. The bill must be a "moderate" bill or else it could not get enough votes for passage.

This motif was heard constantly during the Committee's deliberations and during debate on the floor of the Senate. The implication clearly was that if the bill were unacceptable to labor, it couldn't pass the Senate.

I never shared this opinion and I am still convinced that it was not accurate. For example, as I have indicated, one of the amendments offered would have imposed a fiduciary character on union funds and union officials handling those funds. That amendment was rejected by a vote of 47 to 42. Not only voting against the amendment, but leading the fight on the floor against it, were Senators Kennedy, Ives and Ervin, all three of whom had signed the McClellan Committee's report which included this particular recommendation.

Now, if these three Senators, instead of talking about the impossibility of getting the Senate to vote in favor of a stronger bill, had joined with us in voting in favor of this particular amendment--mind you, an amendment which they themselves had recommended--the vote would have been 45 to 44 in favor of the amendment instead of 47 to 42 against it and the amendment would now be in the bill immeasurably strengthening it. I leave to your judgment what this indicates about the motivations behind the weak Kennedy-Ives bill.

I feel that many of my colleagues in the Senate forgot the primary purpose of this legislation which was to protect the rights of the individual worker as well as those of the general public. Instead, what was achieved was an appeasement of powerful labor leaders for which the only possible explanation is political expediency.

Those of us who were more concerned to correct the abuses disclosed by the McClellan Committee than to bow to the dictates of certain labor bosses are inevitably branded as anti-union by these bosses. The legislative suggestions made by Senator Knowland and myself, as well as others, were aimed precisely at guaranteeing a stronger voice for union members in the operations of their unions, and an assurance that the states would be permitted to act in labor disputes which the Federal Labor Board, for good and sufficient reasons, could not itself administer.

It was our desire to give substance to the recommendations of the McClellan Committee which included both of these areas. I said during the debate, and I repeat it now--I challenge anyone to show a single instance of an anti-labor character in the proposals of Senators Knowland, Mundt, Curtis or myself, and the Administration--yes, and even in the bills originally introduced by Senator Ives many, many months ago.

That charge is the whip cracked over the heads of the Members of Congress by the labor bosses. It contains a threat of retaliation at the polls which is more than an empty gesture as a result of the constantly increasing political strength of these same bosses.

This strength, by the way, I might add, has been built with the moneys paid by most union members for collective bargaining purposes, and not for activities in the political and unrelated spheres.

It has always been my belief that two elements are essential to restore control of the labor organizations to the rank and file.

The first is legislation along the lines I have indicated, which would insure internal union democracy by providing the necessary machinery by which union members can control both their leaders and their organization.

The second is a return to completely voluntary unionism so that as a last resort union members dissatisfied with the way their unions are being run have the right to vote against their union with their feet--that is, by getting out.

The Senate, in passing the Kennedy-Ives bill, has merely continued the attitude which has prevailed during the past 25 years, that is, that the only persons who have the skill and intelligence to run the affairs of our people are not the people themselves but the representatives of a centralized authority.

The Kennedy-Ives bill constitutes a series of concessions to the leaders of labor unions, not a charter of benefits to the rank and file members. This is merely another manifestation of the fundamental New Deal attitude of the past quarter of a century.

It will be interesting to observe whether this dangerous point of view will prevail in the House of Representatives. The labor leaders desperately want the Kennedy-Ives bill. They need some innocuous piece of legislation which they can sell as a cure for the evils disclosed by the McClellan Committee to a public which has been aroused by these revelations and is demanding an effective remedy.

The Kennedy-Ives bill in its present form is a hoax perpetrated on this public which, of necessity, cannot be better informed than it is permitted to be by those who influence and mold public opinion. The House of Representatives has a duty to give the American people what it demands and what is needed.

The Kennedy-Ives bill will do neither. I sincerely hope that the Members of the House will rectify this unhappy situation.

DEAN MANION: Thank you, Senator Goldwater. From what you have said, it is obvious that the Kennedy-Ives bill in its present form will not insure union democracy, neither will it establish voluntary unionism.

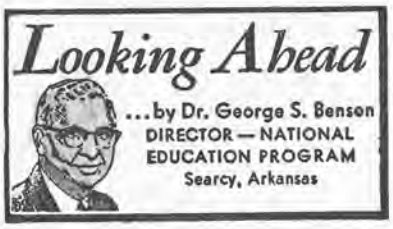
My friends, if you desire these necessary reforms, you will have to vote for courageous Congressmen and Senators--like Barry Goldwater--next November.

Labor Monopoly

RELEASE for Publication

After Noon Wednesday

November 26, 1958



WILL RACKETEERS RULE US?

Will a labor union boss who has surrounded himself with notorious ex-convicts, racketeers and thugs become the most powerful man in America over the nation's economic life? Senator John L. McClellan, chairman of the Senate committee investigating racketeering in labor-management relations, has presented this question to the people of America. The answer must come from them, he believes. Either they remain apathetic and permit labor racketeers to take over the nation, or they get busy and break up one of the greatest dangers to our freedom and prosperity.

Senator McClellan says that the case at point at the moment is the Teamsters union, already the biggest single labor organization in the nation. The leader of this union, he notes, has already begun work to combine all the transport unions into one big organization. This would give the leadership more power over the economic life of our nation than the entire government exercises. It would place power in the hands of these labor leaders sufficient to destroy the entire American way of life.

Most Powerful Organization

One of the transport unions to be combined with the Teamsters, under plans announced by the Teamster leaders, would be the longshoremen headed by Harry Bridges, who twice has been ordered deported because of alleged Communist activities but who has each time been restored to power by U. S. Supreme Court decisions. Another strategic organization in the combine would be the east coast Maritime union which has been shot through with Communists for years. Ultimately the plan calls for absolute control over every phase of American commerce, and with it would go the power to paralyze the nation in time of war.

About the only approach to safeguarding the nation against racketeer control of these big unions is through federal legislation. Senator McClellan said that he introduced one bill in Congress this year — as a starter in a contemplated series of bills to cope with some of the labor abuses — but that it died . . . perhaps because of influence on Congress by a few who wanted it killed, and certainly because of public apathy.

Power Through Politics

There is another potential danger in the labor movement. When unions which are controlled by Communists or disguised Socialists exercise their vast powers to take over control of political organizations, they pose a grave threat to our American way of life. A few years ago the Detroit Free Press reported that a well-known labor union, directed by a widely publicized leader, had seized control of the machinery of one of the major political parties in Detroit by gangster methods at the district conventions. The newspaper reported:

"In all but one district, the caucuses were marked by sluggings and the Communist techniques of beating down opposition by violence. The (union's political arm) brought back to Michigan the sit-down strike methods which had been disavowed in labor disputes, and applied them to government. The goon squads took over, and the gavel, that traditional symbol of orderly parliamentary procedure, was discarded for the sawed-off baseball bat. In all but one district — the 16th — there was near rioting as the strong-arm squads took over. Delegates representing the old line . . . (major party) elements were beaten and thrown bodily out of the halls by the shock-troop goon squads."

Dangers Confronting U. S.

Decent, wholesome labor organizations, operated for the benefit of the rank and file members, to improve their working conditions and their living standards in orderly negotiations, have won a respected place in our way of life. But there are terrible dangers in those which have been seized by racketeers out for personal financial gains, and by labor politicians seeking personal political power, who want to remake America on the pattern of the Socialist-Labor Welfare States of Europe or the fullfledged proletariat dictatorship of Russia.

America is confronted today with a few powerful racketeer - ridden labor unions threatening to vastly extend their powers over the lives of all citizens; and by some labor politicians who at any time may become the dominant power in the political life of the nation determined to reshape America into some form of Socialism. This situation demands that every citizen must become well-informed, must take an active part in the political party of his choice, and must participate in government at all levels for the preservation of our personal freedoms and our dynamic economy.

—30—

From Southern States Industrial Council, Nashville 3, Tennessee
For Release: December 21, 1958 No. 181

SENSING THE NEWS

By Thurman Sensing
EXECUTIVE VICE PRESIDENT
Southern States Industrial Council

Urban Assistance

CITY WRECKING

Indications grow that cities are the newest elements in American life that may become full-fledged wards of the federal government. Of course, city governments have been receiving some federal aid for a number of years. But the incoming Congress may include a sizable bloc of Representatives who want to vastly extend welfare-state coverage for urban communities.

Senator Joseph S. Clark (D-Pa), former mayor of Philadelphia and a rising figure in "liberal" circles, sounded the battle cry for more federal aid for cities when he urged the creation of "a department of urban affairs" to deal with such matters as "the deterioration of mass transit in the cities" and stepped-up urban redevelopment.

What the nation faces is the danger of a welfare-state agency designed to pour tax money into the cities -- an agency that will spawn nothing but political relief programs. Such programs are always both costly and ineffective.

Now, it's a fact that some American cities are in trouble. One reason is that the federal government has taken over most of the major sources of tax money. But the way to help cities regain their health is not to increase taxes or borrow money and then pour a lot of the money back into the cities. Washington hasn't any magic formula insofar as money is concerned. If a city is simply allowed to hold on to its own money, it will be well off. What cities, like other American institutions, truly need is a general reduction in federal taxes. If taxes were reduced, cities could better handle their problems.

Vast new urban assistance programs also would penalize those cities that are making a genuine effort to meet the challenges posed by their problems. They would

make all cities lose initiative in providing for the present and planning for the future.

The fact is that urban assistance programs would affect cities the same way rural assistance programs have affected farmers. They would lead to federal control of civic administration. It is the old story that the man who pays the piper calls the tune. As the farmers of today are told what to plant and how much to plant, the cities would be told what services they were to provide and how much they would provide. Today's farmers farm the federal treasury. So would it be with the cities. Their enterprise would consist of seeking out increased federal grants.

The plans of the left-wingers for massive federal aid to cities may appear attractive to many groups in cities, including some short-sighted business groups. The possibility of outside money -- at least what many citizens mistakenly consider outside money -- may beguile some civic groups into advocating that the assistance programs be enacted. Anyone who cannot see the dangers in stepped-up federal aid for cities should look long and hard at the farm program, which has degenerated into a $7 billion annual boondoggle that all thinking citizens realize is a hopeless mess. Yet it has become almost politically impossible to clean up this mess.

The way to avoid such a mess in the cities -- conditions that would undermine municipal authority -- is to stand firm against the folly of federal aid for urban areas.

Reckless expenditures in any and all cities that demand federal aid would wreck the businesses and commercial establishments that make cities what they are.

A big urban redevelopment scheme is under way in my home city of Nashville, Tennessee, and the mayor has applied for Federal aid, saying it is simply too big a job for Nashville to do alone. If the City of Nashville, which has been operating under a balanced budget, cannot afford to do the job, how can the Federal Government, which is operating under a current annual deficit of $12 billion, afford it?

NATIONAL ASSOCIATION
OF REAL ESTATE BOARDS
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News Service

FUTURE RELEASE
For Release in AM Papers, Sunday, January 25, 1959

FUTURE RELEASE
No. 4

AMERICA AT CROSSROADS ON URBAN RENEWAL DECISIONS, HANFORD SAYS

SAN ANTONIO -- America is now at the "crossroads of decisions" on whether to push ahead vigorously with vital urban renewal efforts or to "continue to avoid the avalanche of decay that is choking our economy," Lloyd D. Hanford, San Francisco, president of the Institute of Real Estate Management, told a session of the National Association of Real Estate Boards here yesterday afternoon (Saturday).

Mr. Hanford addressed a joint meeting of the Institute and the American Society of Real Estate Counselors. Both organizations are professional affiliates of NAREB which is holding its mid-winter meetings during which James M. Udall, Los Angeles, will be installed as president.

"The American people are blessed with the greatest stamina and the strongest will for progress that the world has ever seen," Mr. Hanford told the group. "We are likewise alert to the humanity of our people in that they are inclined to avoid, as long as possible, the uncomfortable realization of those unhappy pressing matters that ultimately will affect them more directly."

Mr. Hanford said that the pressures of urban deterioration have been building up over the past four decades and added:

"Those of us closest to the land itself have long realized the growing dangers that have been approaching relentlessly. Up to the last few years, the warnings of sound observers have been ignored."

(more)

The speaker noted that in the national urban renewal program under the Housing and Home Finance Agency and in the program of various citizen-groups such as NAREB's Build America Better Committee and the American Council to Improve Our Neighborhoods "we have the means and the know-how to reverse the cancerous growth of urban blight."

Blight, he said, results among other things in unsightly, unsanitary, unsafe, and overcrowded buildings; a high incidence of communicable diseases and crime, including juvenile delinquency; financial losses in ad valorem taxes; above-normal insurable losses; and stifled business activity.

Basic to the solutions of blight problems are strong and diligently enforced health, building, fire, and housing codes; adequate zoning ordinances; the availability of needed financing at reasonable costs for rehabilitation and reconstruction; a local planning program that fits the existing community pattern and "does not attempt to build a utopia that is uneconomic"; and the "will to proceed" on the part of all elements in a given community.

Mr. Hanford listed among the benefits that will result from an effective urban renewal program better health for the entire community, an "unbelievable" reduction in crime and delinquency, a "vastly enhanced value of our entire physical plant," increased local tax revenues, and "greatly improved business and working conditions."

Warning that "many difficulties" still beset urban renewal, the speaker urged his audience to concentrate on "some vital and correctable problems that greatly impede our progress."

He termed the first of these the public apathy that comes with the time lags between the conception and realization of urban renewal programs, and advocated a reduction in "these frustrating delays" by three steps:

1. The revision of state enabling legislation to "eliminate unreasonable opportunity for delaying legal action."

2. The elimination of "such of the unnecessary detail work in the orderly process of planning and procedure."

3. Making certain that all levels of urban renewal planning and procedure are in the hands of "diligent experts in the respective fields."

Among other helpful actions, the West Coast Realtor called for the implementation of state enabling legislation that will permit municipalities to freeze ad valorem taxes in a designated renewal area for a "limited but reasonable period of time," and the provision of information and counselling service at little or no cost to owners and tenants in a designated renewal area.

In conclusion, Mr. Hanford granted that effective urban renewal involves "some temporary personal sacrifice for great future benefits," and warned that renewal is a "team operation where defeat means oblivion as far as our present economic and social system is concerned."

(30)

Urban Renewal

Room 322
Old House Office Building
Washington, D. C.

26-59

For release
March 19, 1959

W A S H I N G T O N R E P O R T

By Your Congressman
JAMES B. UTT

The Hawaiian Statehood Bill passed the House last week with only a handful of dissenting votes. I have repeatedly stated my opposition to the admission of Hawaii upon the sole ground of Communist domination under the leadership of Harry Bridges and Jack Hall. However, during the course of the debate, Congressman Walter, who is Chairman of the Un-American Activities Committee, said that he fully recognized this fact but that it was his considered belief that the Communist problem could be better handled under Statehood than it could be if Hawaii were left as a Territory. I have a profound respect for the opinions of Mr. Walter on matters involving Un-American Activities. His argument nullified my principal objection, and I therefore voted in favor of Statehood.

One of the major legislative items to be considered before the Easter recess will be the Housing Bill. As reported from the Committee, this legislation authorizes the expenditure of nearly four times the amount recommended by the Administration. This increase appears in two items, in an area which should not be invaded nor assumed by the federal government. These are Urban Renewal and Public Housing. The Committee bill provides for an expenditure of a billion and a half dollars over a three-year period for Urban Renewal grants, while the Administration bill calls for a slightly lesser amount over a seven-year period. I believe that the Urban Renewal legislation is unconstitutional, although the present Supreme Court in 1954 held it to be constitutional under the "general welfare" clause. This money is a grant of public money, and will not be returned from those who receive it. It permits the condemnation of private property, not for public use, as provided in the Fifth Amendment to the Constitution, but for private use, and stands as a threat to private ownership of any property. It has permitted the condemnation of Standard Oil property and then given it to an individual to use for an auto parts store, because some planner thought that an auto parts store was more aesthetic in this location than was a Standard Oil station. It takes little imagination to see what can happen to private ownership.

Urban Renewal can be carried on much better by the cities whose moral responsibility it is, rather than to resort to the immoral taxation of all of the small communities and suburban areas in America to finance this program.

Under this program, a slum area is designated by a local redevelopment authority. The property is purchased by that authority, and all of the families are relocated, as a rule into public housing. The property is cleared of all structures including churches and business houses, and then sold at a fraction of its cost to a private developer who agrees to develop it according to a plan acceptable to the authority. The federal government then pays one-third of the loss sustained by reason of this sale.

An interesting sidelight is that the federal government has had to create a bureau for the sole purpose of teaching people how to live in houses.

The Committee bill calls for $3.7 billion for so-called low-cost public housing which actually costs between $17,000 and $20,000 per family unit. The Administration bill calls for no additional public housing commitments in view of the fact that there are over 110,000 public housing units authorized which have not yet been built. This legislation provides for an additional 190,000 units. Those who occupy public housing units only pay enough rent to provide for the maintenance, plus about 17% of the amount necessary to meet interest and amortization on the project. Thus, the federal government will lose 83% of this $3.7 billion.

The record of public housing is a sorry one. The occupants have no pride of ownership and very little civic responsibility. The record will show that they are the spawning ground of untold numbers of illegitimate children annually, who immediately become a charge upon the welfare agencies of the cities and counties where they are located.

Unless Public Housing and Urban Renewal are deleted from the legislation, I will vote against it.

VISITORS: We were very glad to welcome the following recent visitors to the Washington Office: Mr. Thomas W. Mathew, Laguna Beach; Mr. R. F. Kidwell, Garden Grove; Mr. John Polstin, Costa Mesa; and Mr. and Mrs. B. M. Coon of Anaheim.

Tax

The American Way

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REVIVAL OF AMERICANISM

By Willis E. Stone

(EDITOR'S NOTE: Willis E. Stone is author of the "Proposed 23rd Amendment" and President of the American Progress Foundation, Los Angeles.)

The Texas House of Representatives, on May 5, 1959, approved a resolution to require Congress to submit a "Proposed 23rd Amendment" to the American people for ratification or call a Constitutional Amendment for that purpose. The vote was 80 to 55. The next day, May 6, 1959, the Texas Senate concurred in that Resolution by voice vote. The proposed amendment provides:

"Sec. 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 4. Congress shall not levy taxes on personal incomes, estates and/or gifts."

Thus Texas joined Wyoming in the drive to curb the federal tax and spend policies which have proved so disastrous to private enterprise and to taxpayers alike.

Florida, too, initiated action on this Resolution when the House of Representatives approved it on April 23, 1959, with concurrent action by the Senate anticipated.

The "Proposed 23rd Amendment" is pending in Congress as H. J. Res. 23, introduced by Congressman James T. Utt of California. Hearings on it can be attained by the overwhelming demand of people everywhere, and this demand should be immediately made so that everyone may learn the merit of the proposal.

Fact Sheet has published a great deal of evidence from official records indicating the need for the amendment. One of the most spectacular reports in the series (Vol. 1 No. 1) lists more than 700 federal agencies which are, in one way or another, competing with private enterprise without constitutional authority for doing so. A copy of that report is available free by writing to Fact Sheet, P. O. Box 3948, Los Angeles 28, Calif.

The contention advanced in support of the "Proposed 23rd Amendment" is that the sale of these federal corporate activities back to the American people will liquidate an enormous portion of the national debt and eliminate the losses and hidden costs of these bureaucratic empires, thus cutting the costs of the federal government in half, removing the need for individual income taxes completely.

The experience of federal intervention in the Rubber industry provides a yardstick by which we can appraise the value to be derived from the sale of federal corporate activities—the costs of government which can be removed and the taxes saved.

The Rubber Producing Facilities Disposal Commission report to Congress dated January, 1956, listed the net book value of the rubber plants at the time they were sold at $127,617,000 and the accumulated deficits for the period of government interest free, rent free, tax free operation at $134,693,000, or a total net cost of $262,310,000.

Private enterprise bought the rubber plants for $284,848,000, or as the report asserts: "The disposal program therefore produced a recovery in excess of the total net cost of the entire program of $22,538,000."

Nor is this all. Once these factories paid no rent and escaped a variety of operating costs. Under private enterprise they now pay all the economic costs of operation. Under bureaucratic management they paid no taxes of any kind. They now pay an enormous quantity of taxes at all levels of government—local, county, state and federal.

Under government ownership and operation the rubber plants produced deficits exceeding the book value of the properties. When private enterprise purchased the facilities they absorbed those losses and are now earning substantial profits through the economic administration of the industry in a highly competitive market.

This revival of Americanism indicates the logic of the "Proposed 23rd Amendment" and the rewards in sight as soon as the people in the several States get their Legislatures to adopt the necessary Resolution.

(For Release Midnight, Sunday, June 28th)

Weekly Broadcast No. 248

HONORABLE BARRY M. GOLDWATER

UNITED STATES SENATOR FROM ARIZONA

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

Labor

June 28, 1959

HAVE WE A LABOR GOVERNMENT NOW?

DEAN MANION: We are all familiar with the famous statement that "power corrupts and absolute power corrupts absolutely".

Is the constitutional institution of American freedom now hopelessly corrupted by a concentration of power? With me at this microphone now is a great American who has earned the right to answer this important question by intelligent public service and successive elections to the United States Senate.

It is no longer necessary to introduce this man to an American audience. His candor, courage and statesmanship have made him the symbol of undeviating devotion to the conservation of our American heritage. To describe the menacing peril of unrestrained power, here is the Honorable Barry Goldwater, United States Senator from Arizona.

SENATOR GOLDWATER: Thank you, Dean Manion. We hear a great deal these days of the dangers facing our country. Not a day passes without someone pointing to the perils that await at every turn in foreign affairs, in missile production or lack of it, in the race to space or to the poles, in every imaginable activity our Nation is engaged in.

And we could not have come this far as a prosperous republic if in the past we had not faced and met similar dangers. But to me the greatest danger we face as a nation is not aggressive force from without, but irresponsible power from within.

Power that we as a nation legally grant. Power that is unrestrained, irresponsible, unrelenting, and, most important, sanctioned by law!

This power is vested in three areas, government, business and labor, and is growing greater each day.

Let us examine the strongholds of this power. First there is government. Government has become so large today that nearly every move we make is met with Federal regulation.

Government after government in the history of this world has fallen because of the concentration of power in centralized government, and today, we are witnessing this growth in our own Nation's capitol.

It can be successfully argued, in my own opinion, that big government spawns both big business and big labor, and that the three together constitute a real danger to our freedoms.

The second area of bigness is business. The usual explanation of the size of today's corporations is that through competitive struggle for survival, they have merged for technological reasons into massive combines.

But, can the immense size be explained alone in this way? Not at all. There are two factors causing it, but the underlying reason for both is governmental policy.

The wealth produced by capital is divided for supplemental wages, to pay the double tax of the state and Federal Government, and to provide a major portion of new capital formation. The Federal Government and most states levy such taxes on corporations doing business within their borders. Under these tax regulations, corporations and businesses which should be allowed to put back money produced by their efforts are restrained from doing so by the effect of corporate taxes.

As the size of the business grows, so grows the size of the unions with which management must deal in the determination of wage rates and benefits to be received by employees. As the unions grow, the trend snowballs for industry-wide bargaining, and this is followed by a greater body of Federal regulations proscribing such bargaining between employers and union representatives.

Government regulations on employee relations impose compliance burdens on today's businessmen such that only the largest can afford the staffs of accountants, lawyers, and researchers required to keep abreast of procedures imposed on them by bureaucratic proclamation.

If the businessman attempts to follow the normal course of free enterprise, ignoring Government channels, criminal sanctions are soon imposed on him and his business is terminated. Thus, Government practice in the employee-relations field encourages large corporations to grow.

Now, for the third area--the one with which we are now intimately concerned. In contrast to business regulation, our Government has created in the trade union movement the power and privilege to compel union membership and to regiment employers by economic measures which are irresistible.

This power today has a far-reaching effect. Oddly enough, in this age of vast government and proliferation of laws, we have, in the labor relations field, little government and less law. We have, instead, a series of special privileges for abusive and destructive trade union conduct.

In the labor relations field, freedom has become a fugitive trapped, held by a superstate, while giant unions slug it out. They are slugging it out with big business in the most fearful struggle of our time.

The outcome of this struggle is in the hands of Congress and, more essentially, in the hands of every citizen. This conflict of raw power left unchecked in its present direction can only result in government alone emerging as the sole survivor.

COMPLACENCY THE ENEMY OF AMERICA

America is in danger. Not alone from the material or military threat of our enemies abroad, but from the complacency from within our boundaries.

This is a weakness which is reflected in the acceptance of the abuses of power and it is a weakness further demonstrated by our inability to face up to the real danger. The foreign threat is one which need not panic us so long as we avoid abandonment of our fundamental strength--the principle of freedom under law.

The danger lies in the excessive power of special privileges. All big unions, as they wield the club of economic pressures exploiting to the limit their privileges, have formed industry-wide monopolies fraught with abuses and corruption so rampant that it portends certain destruction of the trade union movement, with the attendant handmaiden of disaster for our country. What has brought this about? The answer lies in the failure of our Government to control power and corruption.

During the course of debate on S. 1555, the Kennedy labor bill, I pointed out that, unless strengthened, the bill would make it perfectly permissible for a union to deny a member his right to freedom of speech by means of "reasonable rules and regulations".

Just four days after the bill passed the Senate this hypothetical example became a reality. Citing the section of their constitution which permits expulsion for "conduct unbecoming

a member", the International Association of Machinists denied the appeal of three members who had exercised their Constitutional right of free speech to support Right-to-Work laws.

Let me read from that decision the astounding reason the union gives in support of its position.

> "While it is agreed that the right to freely express one's views is a privilege guaranteed by the United States Constitution, this does not mean that a member of our association is entitled to openly denounce the considered position of the labor movement and particularly his own organization, without the possibility of losing his rights to retain his standing as an I.A.M. union member."

I draw your attention to this phenomenon because it is exactly here that I believe the bridge is being constructed between economic tyranny and political tyranny in this country. We are observing the transformation of economic compulsion into political compulsion.

We are probably strong enough to survive even the widespread corruption in union affairs which the McClellan Committee hearings have disclosed. It is an evil thing and weaves threads through our social fabric of which none of us can be proud and which we ought to remove. But it is not, by itself, necessarily fatal to the country, damaging as it may be.

We can probably survive entrenched hoodlums, but can free political institutions survive the clever men whom we hear talk piously of their high ideals and lofty purposes at the same time that they go steadily and stealthily about the job of transforming compulsory unionism into compulsory political activity? I suggest these latter may be the truly evil, the truly dangerous men.

On this point there has been a strange and inexplicable silence on the part of the usually loquacious men who call themselves "liberals". There has been a curious unwillingness on the part of some to concern themselves with civil rights of union members with the same relentless energy and determination they are accustomed to expend upon threats to the civil rights of other segments of the population.

Why is the union member the forgotten man? Why is this second-class citizenship for the union member held by "liberals" to be a negligible matter when applied to any other segment of the population it is held to be intolerable?

Where are the "liberals" who speak with such deep feeling and who are willing to undertake unlimited and immediate action to cure any diminution of that franchise in one part of the country but who are so strangely blind and deaf to this outrageous impairment of the franchise of union members which is especially conspicuous in another part of the country? This I have called the civil rights problem of the North and I invite the earnest attention of the Nation to this problem.

The basic evil infesting the union movement is compulsory membership. Not one other segment of our society has the coercive power of compulsory unionism, transformed as it has been into a massive and irresponsible political power.

What we witnessed only recently in Congress during the development of the Kennedy labor bill ought to demonstrate to everyone how far-reaching this ruthless power does now reach.

SHAME ON CONGRESS!

How humilitating it is for the Congress of the United States to have to conduct a sort of treaty-negotiation with a great internal political power almost as with a foreign power to find out what these union grandees would be willing to tolerate in the way of mild corrections! What level has this Congress reached when even a mild and inoffensive reform bill must be loaded with "sweeteners" to make it sufficiently attractive to the labor politicians so that they may be persuaded to permit its passage?

This overwhelming power, as I have said, is based on the transformation of compulsory unionism into compulsory political activity.

It is an appalling situation when Democrat union members can be required, as a condition of employment, to finance Republican candidates; when Republican union members can be required to finance Democrat candidates; or when any union member can be required to finance issues which he finds deeply repugnant.

When, for example, a profoundly religious Roman Catholic workman can be required by a Communist-dominated union leadership to finance the political designs of the Communist party, on pain of losing his job!

I say this is the kind of issue that ought not to separate liberals and conservatives. On this issue we must all be Americans or there may soon be no America as we have known it. What we in Congress must awaken to is the fact that freedom is the target of concentrated power. There is no question but that trade unions have been scoring bulls eyes for 30 years taking away freedom which belongs to you and me and our children.

How much more is there available for sacrificial offering? I submit that it may be too late. There is no question, however, that if we have any hope of retaining what little is left, we must deny the special privileges which allow the violence and monopolistic compulsion against union members.

We have reached a point again in our history where we once stood, when the question was asked of men, "Where do you stand, sir?"

Do we want a republic whose Constitution recognizes that freedom is ours because we are individuals and that freedom comes from God? Do we want a government unfettered by power? Do we want an economic system unfettered by abusive power? Do we want a labor movement with special privileges denied to the rest of our society, the use of which has produced the raw power disclosed before the McClellan Committee?

The answer I say to my colleagues rests in the question: "Where do you stand, sir?" If we remain true to our oath of office, if we believe in the proclamations of freedom and liberty which we make from rostrums across the land, if we believe that power invested in any segment of our population is bad, then I suggest to those who hear my voice or who read my words that we can demonstrate this by recognizing the needed approach to labor reform, which is, attack the disease, not the symptoms.

If we fail at this crucial point in our history to measure up to our responsibilities, then history will judge us for what history will surely record us as--men who were timid when strength and courage were needed.

If, on the other hand, we want our freedom, we must work and sacrifice for it. There can be no compromise. Our Constitution is quite clear and we either stick by our basic principles or we don't have them.

There can be no compromise with those who would destroy us because time is on their side. There can be no compromise with courage, the courage to stand for principle with strength.

DEAN MANION: Thank you, Senator Goldwater. My friends, where do you stand on this question of special privileges for unrestrained power? Are you too timid, too tepid or too tired to take a stand against the corruption of your liberties by absolute power?

Send this magnificent speech by Senator Goldwater to your own Congressman. Ask him: "Where do you stand, sir?" Insist upon an unequivocal answer, now.

(For Release Midnight, Sunday, July 5th)

Weekly Broadcast No. 249

THE HONORABLE JOHN MARSHALL BUTLER

United States Senator from Maryland

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

Treason

July 5, 1959

IS THE COMMUNIST VIRUS KILLING AMERICAN PATRIOTISM?

DEAN MANION: Did you enjoy your Fourth of July week-end? Many many millions of our fellow-Americans will answer promptly: "Yes, of course, why do you ask?"

I ask because I honestly wonder how many of these happy people really understood what they were doing on the Fourth of July. Did you yourself pause somewhere along the line of fun and frolic to remember that we were celebrating the 183rd anniversary of our national independence?

And what is the great lasting importance of national independence? Why not ask the people of East Germany, Hungary, Poland or Tibet?

Today, there are scores of such nations all but hopelessly enslaved by the widening circle of Communist despotism. The condition called national independence is very much like the condition of vigorous personal health: We never appreciate it properly until it begins to slip away from us. We really weep for it when we are conscious of the fact that it is gone--perhaps forever.

The Dalai Lama, crouching precariously near the uncertain border that runs between India and the menace of Red China--he could tell you about the importance of national independence. And so could Cardinal Mindszenty at the other end of the Red Communist world.

There are 900 million enslaved people stretched between the Dalai Lama and Cardinal Mindszenty. What wouldn't these people give for the personal liberty and national freedom that were proclaimed for us on the Fourth of July, 183 years ago.

Are you sure that American liberty and national independence can continue to live in a world that is so seriously sick with the contageous cholera of Communist despotism?

Fortunately, there are a few people in Washington who sense the deadly seriousness of the Communist menace and know what it portends for the future of this country and for the world.

One of these people is the distinguished Senior Senator from Maryland, the Honorable John Marshall Butler. He is here at this microphone now to tell us what the Communists are planning with reference to the continuity of our Fourth of July celebrations. Senator Butler, welcome back to the Manion Forum.

SENATOR BUTLER: Thank you, Dean Manion. Of one thing we can be sure. The Russians and the Chinese Communists do not intend that there be permanent co-existence with countries dedicated to individual liberty and freedom.

While their leaders talk of peaceful co-existence and competition in the field of economic activity, they are working night and day to destroy Western civilization.

The so-called Berlin crisis demonstrates this problem very clearly. The contrast between the freedoms enjoyed by the Western Germans with the restrictions and regimentation, to say nothing of the lower living standards prevalent in the Eastern German sector, poses problems which no Communist state can tolerate.

More than two million Berliners have given evidence of their will to live in freedom and have rejected Communism and all its works.

The current negotiations in Geneva must be reviewed with some perspective. In the midst of World War II, when much of Russia was still under German occupation, suggestions were advanced to dismember Germany at the Tehran and Yalta Conferences. It was proposed that each of the World War II allies, including Soviet Russia, would be given a zone of influence.

Stalin very cleverly rejected this scheme. By the time of the Potsdam Conference in 1945, he had no interest in dismembering Germany as Russia had occupied East Germany and most of southeastern Europe, with the exception of Greece and Turkey.

Stalin's principal interest was to reunify Germany in such a manner that the Russians could exercise control over the mighty industrial resources of the Ruhr Valley. These are still basic Russian aims.

The suggested Soviet draft of a German peace treaty, which was presented in January of this year, would have established a confederation of East and West Germany. Remember that the population of West Germany numbers more than 50 million inhabitants while that of East Germany is less than 20 million.

If Germany were reunified on any such basis, with the puppet East German Communist state maintaining its integrity within such a confederation, Russia would shortly be in control of Germany's great industrial potential.

America is confronted with very much the same problem in Korea. Although fighting ceased five years ago, there is still no unification of that troubled country because it is obviously impossible for the Russians to face free elections which would establish our concepts of freedom in all of Korea as well as in all of Germany.

COMMUNIST MENACE A PERSONAL MATTER

The Communist menace affects all of us every day of our lives. President Eisenhower has estimated that major national security expenditures will total 45.8 billion dollars in the fiscal year which starts July first. This represents 60 per cent of all Federal expenditures.

We have no aggressive intentions toward anyone. These fantastic expenditures are only necessary because the Communist world, in spite of its repeated assertions that it seeks coexistence, is determined to destroy and annihilate all of the values which represent the heritage of western civilization.

A budget of this magnitude can only generate inflationary forces and problems. High taxes must be factored into all prices and wages. Workers are interested in their take-home pay not in their wages before taxes; yet, the taxes withheld on their wages must be included in the price of all goods and services.

I know that, if we continue to grant inflationary wage increases, which in turn must generate inflationary price increases, the Communists will have achieved their expressed ambition--to conquer the world without having fired a shot.

In his book entitled "The Economic Consequences of The Peace", the widely-known British economist, John Maynard Keynes, commented:

> "Lenin is said to have declared that the best way to destroy the capitalist system was to debauch its currency."

Then, after detailing some of the harmful effects of currency debasement, Keynes added:

> "Lenin was certainly right. There is no subtler, no surer means of overturning a society than to debauch the currency. The process engages all the hidden forces of economic law on the side of destruction, and does it in a manner which one man in a million is able to diagnose."

Some of Keynes' economic theories are highly unacceptable to me, but it would be extremely difficult for anyone to put up a valid argument against this thesis.

Last December my colleague, the Senior Senator from Minnesota, Mr. Humphrey, had an 8-hour interview with Mr. Khrushchev. He described his experience in an article which appeared in the January 12 issue of Life magazine.

Senator Humphrey asked Mr. Khrushchev about Red China's experiments with the new compulsory communal living that Mao Tse-Tung was forcing upon Red China. Mr. Khrushchev, according to Senator Humphrey, said:

> "They are old-fashioned, they are reactionary. We tried that right after the revolution. It just doesn't work.
>
> "You know, Senator, what those communes are based on? They are based on that principle, 'from each according to his abilities, to each according to his needs'. You know that won't work. You can't get production without incentive."

ARE WE SWITCHING IDEOLOGIES WITH REDS?

The tables are slowly being turned. The Russians are adopting our capitalistic concepts while we are slowly embracing Marxism.

Russia's sincerity to advance economic development and the cause of peace may be measured by a recent statement which appeared in the New York Times where her First Deputy Premier, Mr. Mikoyan, said that if the United States and other western countries wanted a solid investment, they should send money to the Soviet Union. "We will invest it for you and pay you good interest", he said.

The dispatch continued:

> "Mr. Mikoyan, who is responsible for the Soviet trade program, urged increased financial transactions between East and West and suggested humorously that Russia even would be willing to export sputniks."

However, Mr. Mikoyan was explicit that while he hoped we would be foolish enough to send our funds to Russia, his government had no intention to do anything about Russia's obligations incurred to other countries before the present regime came into power. The New York Times said and I quote:

> "Mr. Mikoyan emphasized that his suggestion about investments had nothing to do with western money invested in Russia during the days of the czars.
>
> "'If you are thinking about credits extended to the czars, we are not responsible', he said."

A divided world in an age of nuclear weapons and missiles presents new problems for each of us. If we are to survive we must finally reach a position of sufficient strength where we can really negotiate a settlement of the basic political issues which divide the world today.

There is genuine hope of moderating and controlling the virus which has attacked the world since 1917, but each of us must rededicate ourselves to the fight for freedom.

We must work harder and see to it that our children are better educated and better trained in understanding the issues of the day. They must be willing to face the hard economic realities of life.

For many years too many of us have somehow expected that everything would work out, that no great civilization such as ours could perish. Yet the pages of history show that many once great civilizations have failed because they grew soft and were unable to adjust to the pressures of a more aggressive people.

I need only cite Greece, Rome, Egypt and Persia, each in their day the world's dominant power. I can assure you that the problems of combating atheistic Communism are not solely the responsibility of the President or the Congress.

Less than fifty years ago the czars ruled Russia. In this short period a whole new generation living behind the Iron Curtain has risen to power. They know nothing of the moral values which guide us. Their younger generation, who have been steeped in Communism, are working with dedication because they have been taught nothing else.

The survival of western civilization requires that our youth, who must carry the torch of freedom, understand the task which is before them.

In closing, I can assure each of you that I am not pessimistic. There are still more people who believe in freedom than in Communism. No country has slipped behind the Iron Curtain since 1953. This contest can be won but it will take time, patience and dedication.

Our people have always risen to the demands of their times when their leaders told them what was required of them. I know they will do it again.

DEAN MANION: Thank you, Senator Butler. My friends, what is required of you and me and of all Americans is an immediate consciousness of the fact that personal liberty and national independence cannot live in the same world with Communism.

In this cold war, as in any war, there is no substitute for victory. Co-existence is a form of surrender to Communism.

Liberty must be revived behind the Iron and Bamboo curtains or be prepared to die here and everywhere. This conviction is the predicate of our national defense.

HERE IS A STIRRING PATRIOTIC ADDRESS ADMIRABLY SUITED TO THE SENTIMENTS WHICH ALL TRUE AMERICANS SHOULD NURTURE DURING THE OCTAVE OF THE FOURTH OF JULY. WE FEEL THAT INESTIMABLE BENEFIT WOULD ACCRUE TO OUR NATION IF THIS GREAT SPEECH OF SENATOR JOHN MARSHALL BUTLER COULD BE READ BY A LARGE SEGMENT OF THE AMERICAN PEOPLE. WE ASK CORPORATIONS AND INDIVIDUALS TO ORDER PRINTED COPIES IN QUANTITIES FOR DISTRIBUTION. PRICES: UP TO 2,000 COPIES, 15¢ EACH; 2,001 TO 5,000 COPIES, 12¢ EACH; 5,001 TO 10,000 COPIES, 10¢ EACH; OVER 10,000 COPIES, 9¢ EACH.

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TEN COMMANDMENTS FOR GOOD GOVERNMENT

By Willis E. Stone

(EDITOR'S NOTE: Willis E. Stone is author of the "Proposed 23rd Amendment" and President of the American Progress Foundation, Los Angeles.)

Americans by the millions have stayed away from the polling places in recent years because, they contend, there were no sound American principles presented, nor candidates to sustain such principles.

This need not be. Our troubles seem to arise from the fact that we have ourselves somehow left the basic concepts unattended. Surely in these troubled times we will have the wisdom to again spell out the principles in which we believe, and in so doing find the political leadership to give them life.

As a start in this direction we might consider the TEN COMMANDMENTS FOR GOOD GOVERNMENT advocated by the National Committee for Economic Freedom, (6413 Franklin Ave., Los Angeles 28, Calif.) and its affiliates in various States. Here they are:

1. STATES RIGHTS. Return "to the States or to the people" all those powers "not delegated to the United States by the Constitution" and adopt appropriate legislation to recognize and protect the basic constitutional principle that each State is an Independent and Sovereign Republic with full jurisdiction over all things, persons and activities within its boundaries.

2. POWER OF THE PEOPLE. Apply the terms of the 9th and 10th Amendments to again confine the federal government to its delegated limits.

3. TAXING AND SPENDING. Adopt the "Proposed 23rd Amendment" and enact suitable auxiliary legislation to repeal withholding taxes and individual income, estate and gift taxes levied under the terms of the 16th Amendment, balance the budget and retire the national debt.

4. NATIONAL INDEPENDENCE. Submit the original Bricker Amendment to the States for ratification, and thus provide absolute protection to our Constitution and internal economy from treaties and executive agreements.

5. ECONOMIC LIBERTY. Protect property rights of American citizens by (1) removing all statutory obstacles to individual enterprise, and (2) by prohibiting government ownership or operation of "any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution" as the "Proposed 23rd Amendment" prescribes.

6. CHECKS AND BALANCES. Restore the Constitutional checks and balances between the three branches of the federal government and positively prevent alteration of the Constitution or its intents and purposes by judicial fiat or interpretation.

7. FOREIGN POLICY. Return the United States to the status of a sovereign and independent nation, paying tribute to no foreign power, and remove the control of the United Nations over our domestic affairs, restore the protection of our Flag and Constitution to all members of our armed forces serving abroad, discontinue foreign aid and return foreign trade to the control of the Congress.

8. JUSTICE UNDER LAW. Apply anti-trust laws equally against all monopolies whether of business, labor, agriculture, cooperatives or other groups, restoring the right to work to all our people. Return agriculture to its rightful place in the free market without political shackles and protect the contractual rights of management and labor now threatened by so-called Fair Employment Practices legislation.

9. IMMIGRATION. Preserve and enforce the McCarran-Walter Immigration Act.

10. MONEY. Restore a redeemable currency and the right of individuals to own precious metals.

It is interesting to note that most of the points listed in the TEN COMMANDMENTS are attainable by applying the terms of the "Proposed 23rd Amendment." This indicates the power and the equity of the amendment which is pending in Congress as H. J. Res. 23 and has been formally approved by the States of Wyoming and Texas. It provides that:

"Sec. 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 4. Congress shall not levy taxes on personal incomes, estates, and/or gifts."

(For Release Midnight, Sunday, July 19)

Weekly Broadcast No. 251

HONORABLE JAMES C. DAVIS

United States Representative from Georgia

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

July 19, 1959

STATE SOVEREIGNTY--LAST BASTION AGAINST COMMUNISM

DEAN MANION: Reviewing the political history of the world, Woodrow Wilson concluded that a concentration of governmental power always precedes the death of human liberty.

When Wilson said that, 50 years ago, the danger of concentrated power in this country was dissipated by scrupulous respect for the liberty-protecting doctrine of States' Rights. Today, the evil of absolutely concentrated power is represented by the menace of Communism.

Can Constitutional States' Rights protect America against Communism? I have asked a former judge, a distinguished Constitutional lawyer and presently a highly respected member of Congress to take over this microphone now and answer that question.

It is my pleasure to present the Honorable James C. Davis, of Georgia.

CONGRESSMAN DAVIS: Thank you, Dean Manion. The Tenth Amendment wrote state sovereignty into our Constitution. It did it in firm and unmistakable language. This is the language: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

There is nothing ambiguous in this. It is clear. It means that when the Constitution was adopted, the Tenth Amendment expressed the specific intention of the people that the powers not specifically granted to the United States were reserved to the individual states or to the people. In adopting it, the people refused to grant <u>any</u> unspecified powers to the Federal Government. They reserved <u>all</u> unspecified powers to the states or to the people.

This doctrine is a part of the Constitution, as it was when the Amendment was adopted. It has been a part of the Constitution every moment since its adoption. The struggle to maintain the Constitution against its enemies at home as well as abroad is a never ending struggle. The battle is always on, although many Americans have never yet realized it.

Today we are waging a war with a brutal Communist philosophy, whose disciples have definitely, unequivocally announced their intention to destroy the United States of America. Coupled with that threat from abroad, almost daily we have renewed and intensified assaults from enemies within our own borders.

What the Tenth Amendment provides for is local self-government, government geared to the local and peculiar conditions of the people in their own localities.

The Tenth Amendment takes into consideration local limitations, customs, habits, patterns of living and, above all else, local needs. It sprang from the knowledge that state legislatures, state governors, mayors, local judges, county commissioners, sheriffs and county tax collectors are closer to the people; that they are in a position to administer justice, to assess taxes, to wisely spend the tax money, and to meet the local needs of their

own people, better than any central government that is far removed from the local scene and unfamiliar with the needs of the locality.

For more than a hundred and fifty years, we followed the Constitution; we respected this principle; we were a strong, contented and prosperous people, with a civilization and a degree of liberty unknown before in the history of mankind.

RADICALS WOULD BLOT OUT STATES

This picture has changed today. We are in danger of losing the very things that have made us great, and made us a blessing to so much of the rest of the world. In the past twenty years or so, the trend has been to destroy state functions; to weaken and, in fact, to eliminate state lines.

For more than two decades just past, men with radical ideas regarding the functions of government have come upon the scene. These innovators brought with them ideas and proposals to change our Constitutional form of government into a welfare state, a centralized government, with our states relegated to a weak, subservient position, exercising only those powers and functions that might be assigned to them by an all-powerful, arrogant, dictatorial, centralized Federal Government.

This radical plan to transform our Government and country is being spearheaded by the Supreme Court. It is being aided and abetted by vocal and energetic pressure groups, who zealously support left-wing candidates for public office in all elections, local, state and national.

The Supreme Court has handed down a long string of outrageous decisions which have stricken down defenses provided by the states and by the Federal Government to protect us against Communist activities, which have dealt body blows to state sovereignty, and which, unless rectified, threaten to swallow-up the state, the people and our liberties in one dictatorial central government.

I am referring, among many others, to such cases as the Steve Nelson Case, from Pennsylvania; the Slochower Case, from New York; the Sweezy Case, from New Hampshire, the Schware and Konigsberg Cases, from New Mexico and California, and the Raley Case, from Ohio.

In the Pennsylvania sedition case against a Communist official, Steve Nelson, the Supreme Court ruled that the State of Pennsylvania had no power to prosecute him for sedition.

The Supreme Court ruled against the trustees of Brooklyn City College, in New York, when they discharged Dr. Harry Slochower from his teaching position. He had refused to answer questions about his Communist activities, and pleaded the Fifth Amendment. The Court denied to the State of New York the authority to protect its pupils and its schools against Communist influence and infiltration.

The Court ruled that the State of New Hampshire could not protect <u>its</u> pupils and institutions by questioning one of its own professors, Paul Sweezy, a lecturer at the State University, concerning his suspected subversive activities.

In the Schware Case, the Court held that the New Mexico Board of Bar Examiners and State Supreme Court could not deny an applicant a license to practice law because of his former membership in the Communist Party.

In the Konigsberg Case, the Court held that the California Committee on Bar Examiners and the State Supreme Court could not deny a license to practice law to an applicant who refused to answer the question: "Mr. Konigsberg, are you a Communist," and a series of similar questions.

In the Raley Case, the Court reversed the Ohio State Supreme Court and set aside the conviction of three men who refused to answer questions about Communist activities which were asked by the Ohio Un-American Activities Commission.

There are a number of other cases in which the Court has nullifed state laws and tied the hands of state officials who were working to protect the states, the people and the Federal Government against Communist activities.

The Court has been equally active in shackling Federal officials and agencies in their efforts to cope with Communist attempts to promote the evil Communist conspiracy in America.

And there is not the remotest doubt that this Communist conspiracy does exist; that Communist agents and fellow travellers are working day in and day out to promote Communist aims and purposes to destroy America and every other free country in the world.

The August 1959 issue of the Army Information Digest, which is the official U.S. Army magazine, carried on pages 3 and 4 this unequivocal statement:

> "In the past two years and today, the principal threat to world peace and United States national security has continued to be expansion of ruthless international Communism. There has been no reduction in the global extent of this threat confronting the United States and the community of free nations. Rather, the threat has been intensified . . . "

DESIGN FOR CORRUPTING AMERICAN THOUGHT

Yet, the Court in such cases as the Flaxer Case, the Sacher Case and the Yates Case, has seriously handicapped the Congress of the United States in its efforts to investigate and run down Communist activities through its proper committees.

That Court has not only placed its stamp of approval upon Communists thumbing their noses at Federal and state courts and at Congressional and state legislative committees attempting to protect the people against Communism--it has also tied the hands of state courts and officials who were trying to protect their citizens, and particularly their boys and girls against obscenity and the teaching of such filth as that adultery is desirable and should be promoted under some circumstances.

Yet, up to this point, the Court has gone unhindered in its program of destroying state sovereignty.

President Eisenhower has recognized the definite need for preserving state sovereignty. In 1953, at the Conference of Governors, the President said:

> "I am here because of my indestructible conviction that unless we preserve the place of state government with the power of authority, the responsibilities and the revenue necessary to discharge these responsibilities, we are not going to have America as we have known it. We will have some other form of government."

His last sentence there is a frightening prophecy.

The Communists know that the destruction of state lines carries with it the destruction of state sovereignty--that the destruction of state sovereignty and the establishment of centralized bureaucracy means destruction of individual liberty and freedom.

That is why every Communist, every fellow traveller and every well-wisher of Communism supports every movement against state sovereignty and in favor of centralized power. It makes the Communists' objective of taking over our Government easier.

The rank and file of our people, who actually constitute an unorganized majority, must organize to save state sovereignty. If we do this, we shall keep our country strong.

It is thus that we shall be able to preserve the last remaining bastion of freedom remaining in a world fighting for its very life against Communism and dictatorship.

As a matter of simple survival, we must preserve Constitutional government; we must maintain a balance of power between Federal and state government. State sovereignty is the bulwark against centralized bureaucratic power. It is the protector of individual liberty. It is the last bastion against Communism.

DEAN MANION: Thank you, Congressman Davis. My friends, you can fight Communism by supporting the States' Rights Bill recently passed by the House and now pending in the Senate. Last year this same bill failed to pass the Senate by just one vote. Tell your Senators to vote against Communism by voting for House Bill No. 3, the States' Rights Bill.

THE PERILS OF A RED-TINTED SUPREME COURT ARE ABLY OUTLINED IN THIS POWERFUL SPEECH BY CONGRESSMAN JAMES C. DAVIS, OF GEORGIA. THE ADDRESS SHOULD BE ORDERED IN QUANTITIES FOR DISTRIBUTION BY FIRMS AND INDIVIDUALS.

PRICES: UP TO 2,000 COPIES, 15¢ EACH; 2,001 TO 5,000 COPIES, 12¢ EACH; 5,000 TO 10,000 COPIES, 10¢ EACH; OVER 10,000 COPIES, 9¢ EACH.

NEXT WEEK'S GUEST SPEAKER ON THE MANION FORUM WILL BE THE HONORABLE JAMES O. EASTLAND, UNITED STATES SENATOR FROM MISSISSIPPI. SENATOR EASTLAND'S TOPIC WILL BE: "THE SUPREME COURT --A REVOLUTIONARY TRIBUNAL."

(For Release Midnight, Sunday, August 30th)

Weekly Broadcast No. 257

DEAN CLARENCE E. MANION

Manion Forum Network

Sponsor: Manion Forum • South Bend, Indiana

August 30, 1959

Treason

KHRUSHCHEV VISIT A SYMBOL OF DEATH

Last week, Time magazine reported that "for all the general cheering that greeted its announcement, the United Nations visit of Nikita Khrushchev is packed with political dynamite." (August 24, page 12.)

This week some of that dynamite began to explode and the fall-out was threatening to contaminate the atmosphere around the political headquarters of Presidential hopeful Richard Nixon.

For the most part, the press and wire services were still operating under the thick blanket that the State Department threw over each and every outcry against the upcoming visit of the big Bolshevik burglar; but the seams of the blanket were starting to spread, thus leaking more and more evidence of the generally prevailing sense of popular outrage and disgust.

Governor Nelson Rockefeller's followers discreetly let it be known that, whereas Mr. Nixon had gone all the way to Moscow to pay his respects to the new cultural exchange policy with Communism, the New York Governor has not even visited the Soviet exhibit in New York City and has no plans to do so.

Since then Mr. Rockefeller has demonstrated his opinion that Norway is a much better place than the Soviet Union in which to make American political hay.

There is reason to believe that Mr. Nixon himself is not insensible to this turn of events. By deferring to United Nations Ambassador Lodge as American traveling companion for the Butcher of Budapest, Mr. Nixon has indicated that he has had enough of official guilt by public association.

In official White House and State Department circles, there is growing apprehension over possible political repercussions from Mr. Khrushchev's projected tour of the country, and with good reason.

Plans for prolonged anti-Communist rallies in Chicago, originally timed to coincide with Khrushchev's visit to that city, caused a strategic switch in the State Department travel schedule for the vulnerable Communist gangster, and the big windy city metropolis on Lake Michigan will now be spared the stench as well as the hazard of Khrushchev's presence there.

Both the Soviet Ambassador and the American State Department felt that Iowa would be a safe spot in which to interrupt Khrushchev's high flying cross-country tour of the United States, but Iowa Governor Herchel C. Loveless made haste to say that he opposes the Red Dictator's visit to the United States and to Iowa, because he feels that it is a precarious venture which will be used for Communist propaganda purposes. (UPI--Des Moines, August 22.)

The assumption in Washington was that Khrushchev attaches too much importance to his visit to this country to call it off because of such isolated instances of opposition.

The plain inference is that the big Red Boss may back away from his planned trip to this country, just as he backed away from Scandanavia, if the generality of American opposition is plainly and publicly manifested.

PLANS FOR WIDESPREAD PROTEST

That manifestation has now definitely broken through the lid screwed down upon it by official Washington, and you may be perfectly sure that Mr. Khrushchev is following its development very closely.

A National Committee of Mourning, spearheaded by Senator Dodd, of Connecticut, Congressman Judd, of Minnesota, and Senator Bridges, of New Hampshire, has opened headquarters at 931 G Street, Washington, D. C.

The committee proposes to greet Khrushchev with public prayers, the tolling of church bells and plenty of black arm bands to commemorate the dead and enslaved victims of Communism.

The distinguished and effective pro-American radio commentator, Bob Segrist, informs me that his sponsor, The Allen-Bradley Company, of Milwaukee, will soon publish 50 full-page advertisements, in as many metropolitan daily newspapers across the country, pointing up the sordid record of Nikita Khrushchev. These full-page advertisements will also appear in a great number of ethnic and foreign language newspapers throughout the Nation.

Full-page displays in the form of a letter to President Eisenhower are now appearing in metropolitan newspapers, documenting the infamous criminal record of this so-called "Premier" of the Soviet Union, and calling upon the President to withdraw his invitation until such time as Khrushchev has changed his treatment of the enslaved people of the captive nations, and disavowed his publicly expressed determination to destroy the freedom of the United States.

This revealing open letter is being published by the Committee Against Summit Entanglements, bearing the signatures of such distinguished people as Robert Welch, of Massachusetts, Former United States Commissioner of Internal Revenue, T. Coleman Andrews, Former Ambassador Spruille Braden, United States Senator Barry Goldwater, Congressman W. J. Bryan Dorn and Congressman Wint Smith, Generals Albert Wedemeyer and Bonner Fellers, along with many other equally prominent and patriotic people from all parts of the country.

This published letter to the President observes that Khrushchev has climbed to his present pinnacle of power over piles of corpses created by his personal orders. Continues the letter, "Nikita Khrushchev almost certainly holds the record and deserves the title of the arch murderer of all recorded history . . . There is no possible question but that the royal reception planned for him by our Government will, at this stage of the struggle, give immense aid and comfort to one of the most vicious and most dangerous enemies our country has ever faced."

American visitors to Moscow have reported that Khrushchev regularly receives and reads translations of American newspapers. Let us hope that there is somebody in Moscow with enough courage to tell him what this published letter is saying about him to President Eisenhower and to the American people.

United States Senator Styles Bridges prepared a special statement for publication with the above letter. Says the Senator, "I am still strongly opposed (to Khrushchev's coming to this country). I fear his presence here will further soften some of our more complacent citizens and discourage and dishearten people in Communist captivity."

It is now an open secret that the primary purpose for Khrushchev's visit to this country, and for President Eisenhower's subsequent visit to the Soviet Union, is to seal the doom of the captive nations and finally destroy the hopes of millions of people for ultimate liberation from Communist tyranny.

This is an ironical postscript to President Eisenhower's stirring Captive Nations Proclamation, which he read at the direction of Congress last July, just 17 days after he had invited the Butcher of Budapest to be his guest in this country.

Khrushchev has now declared that he wants to negotiate a "non-aggression" pact with the United States, which is to say that he wishes to put us on record in official recognition of permanent Soviet dominion over the more than 20 nations named in the recent unanimous Congressional resolution as Communist enslaved nations.

However much the prospect of such official United States condonation of tyrannical godless despotism may shock the moral sensibilities of the American people, we may as well brace ourselves now for the heavy impact.

The American people were not consulted about the desirability of Khrushchev's visit to this country. We were simply and suddenly told that he was coming, and that we must be as nice to him as Khrushchev had been to Vice-President Nixon.

In like manner, the forthcoming non-aggression pact with the Soviet Union will not be debated in advance. It will be simply and suddenly announced if and after it is made. The ground has already been broken for this new crop of cynical co-existence with Communist slavery.

UNITED STATES NOW SILENT TO HUMAN SLAVERY

On his way home from Warsaw, Vice-President Nixon told Hearst newsman, Bob Considine: "We will definitely not encourage or support any kind of armed rebellion inside the satellites." (Baltimore American, August 9, 1959.) From this entire exclusive interview, reporter Considine concludes:

> "The United States is apparently prepared now to accept the status quo in Eastern Europe, (and) acknowledge that 100 million persons in East Germany, Poland, Hungary, Romania, Czechoslovakia, Bulgaria and Albania are irrevocably under the domination of the Kremlin for at least a generation or two."

The Vice-President was under no illusions when he gave forth with this bad news for one hundred million slaves. At the American Embassy in Warsaw, Mr. Nixon had toasted a future "One World" in which all peoples could choose their own forms of government. But the Polish Communist Prime Minister, Joseph Cyrankiewicz, immediately responded: "Let us not forget we are allies of the Soviet Union. If there is 'One World', let it be one in which we all sing the Internationale together." (Willard Edwards, The Chicago Tribune, August 8.)

Before I saw Considine's interview with the Vice-President, I had taken President Eisenhower's Captive Nations Proclamation at his word. The President had urged us "to study the plight of the Soviet dominated nations and recommit (ourselves) to the support of the just aspirations of the people of those captive nations."

Following the President's suggestion, I reviewed events of the 1956 anti-Communist uprising in Hungary, as reported by James A. Michener in "The Bridge at Andau". (Random House.) Wherever Khrushchev's murders are reported in lots of ten thousand and up, the result is an unmoving column of cold statistics.

In Michener's book, one finds Khrushchev's corpses created one at a time as his Soviet tanks roll into Budapest to revengefully butcher the brave people who had dared to revolt successfully against Kremlin tyranny.

You see the 12-year old Hungarian boy with grenades tied to his belt rush deliberately into the track of an oncoming tank, blowing himself and the tank to pieces.

You hear the Communist retaliatory order shouted over loud speakers: "If there is a single shot from any house, destroy the whole house. If there are many shots from a street, shoot down every building on the street."

Children are killed, hospitals are fired upon, young men are executed merely upon suspicion. In the awful twilight, just before the final bloody blackout, from an unknown freedom radio station, an unknown fighter cried to the conscience of the outside world:

> "People of the world, listen to our call--please do not forget that the wild attack of Bolshevism will not stop. You may be the next victim. Our ship is sinking. The light vanishes. Help, help--God be with you and with us." (Pages 100-101, Ibid.)

After this the outside world heard only silence. George Santayana once said that those who will learn nothing from history are doomed to repeat it. The very obvious lesson from the history of the 1956 Hungarian uprising is this: The Kremlin will not dare to start World War III while it is surrounded by millions of Communist-held slaves in whom the spirit of resistance and the love for freedom burns as fiercely and as hopefully as it did in Hungary in 1956.

If, as Mr. Nixon has indicated, the United States has now determined to quench that spirit and discourage that resistance, then, indeed, is Mr. Khrushchev's visit packed with a kind of dynamite that will explode far beyond the realm of Presidential politics.

And, while we are on the subject of history, remember that twenty years ago this week Joe Stalin triggered World War II by a non-aggression pact with Adolph Hitler. When you see Khrushchev in this country, don't ask for whom the bells toll. They toll for you.

EVERY READER OF THIS GREAT SPEECH IS URGED TO WRITE OR WIRE PRESIDENT EISENHOWER ASKING THAT THE VISIT BE CANCELLED--THEN TO PHONE AND ASK 20 FRIENDS TO DO LIKEWISE, AND EACH OF THEM TO PHONE 20 OF THEIR FRIENDS--UNTIL THE CHAIN OF PROTESTS AND REQUESTS FOR CANCELLATION REACH MILLIONS.

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THE WORLD WIDE BETRAYAL

Treason

by Stephen Paulsen

From The American Mercury, September, 1959
AMERICAN MERCURY
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AMERICAN MERCURY
36TH YEAR

THE WORLD WIDE BETRAYAL

by Stephen Paulsen

PART I

(A Chronology of the Zionist Master Plan for World Domination)

VIRTUALLY ALL of the items included in this chronology are direct quotations from Zionists or from their books. At the end of this article there will be listed the various books, their authors, the publishing firms and the dates of publication. (I.B. means "International Banker," A.M. means "American Mercury," p. means page," MMM means "Money Made Mysterious.")

1896—Theodor Herzl published "The Jewish State." *It became the Zionists' bible.* The following exact quotes are from Herzl's book:

1. "When we sink, we become a revolutionary proletariat, the subordinate officers of all revolutionary parties; at the same time, when we rise, there rises also our terrible power of the purse." (p. 10.)

2. " . . . the longer Anti-Semitism lies in abeyance the more fiercely will it break out." (p. 4.)

3. "Universal brotherhood is not even a beautiful dream. Antagonism is essential to man's greatest efforts." (p. 42.)

1897—1. Lord Edmond Rothschild of London and Jacob H. Schiff of New York City, two of the Elders of Zion, got Theodor Herzl (of Austria) to arrange for the World Zionist Congress at Basel, Switzerland; 197 delegates met there and laid out a plan of World Conquest with plans for a World Government. Herzl, founder of Zionism, in opening the meeting, raised his right hand and repeated an ancient oath of the Talmudists: "If I forget thee, O Jerusalem, May my right hand forget *its cunning.*" Herzl also said at this meeting: "We are one nation. We are neither American nor Russian Jews, but only Jews!" He also said: "With a few exceptions that do not figure at all, the entire press of the world is in our hands."

2. Dr. Mandelstam said on August 29 at the opening of the Zionist Congress of 1897: "The Jews

will use all their influence and power *to prevent the rise and prosperity of other nations* and are resolved to adhere to their historic hopes; i.e., to *the conquest of world power.*" (*Le Temps,* Paris, September 3, 1897.)

3. The *Zionist Organization of America* was organized in 1897 with Richard Gottheil of *Columbia University* as its first president, and Rabbi Stephen S. Wise as the first secretary. Branches for women (*Hadassah*), and children (*Young Judea*) were soon organized. (*Zionist Network,* p. 32.)

1898—Dr. Mandelstam, professor of the University of Kiev, Russia, at Basel Zionist Congress in 1898 said: "*The Jews energetically reject the idea of fusion with the other nationalities and cling firmly to their historical hope,* i.e., of world empire." (*The Foundations of the Nineteenth Century,* by H. S. Chamberlain, Vol. I, p. 335. Also p. 221 of *Democracy and World Dominion.*)

1900—1. Theodor Herzl, the Zionist leader, approached Abdul Hamid, the Sultan of Turkey, to buy land for the Zionists in Palestine. When the Sultan said "no" he had a revolution on his hands. (Note later item in 1914.)

1900—2. Between 1900 and the outbreak of WWI (1914), the United States was flooded by large waves of immigrants from Eastern Europe.

1901—1. Because President William McKinley in the United States refused to be a tool of the I.B., he was killed by a Russian Zionist, Zolkozh. (Presidents Lincoln [on Good Friday] and Garfield had been murdered previously)

2. Doctor Leopold Kahn summed up these sentiments when speaking about Zionism in a Jewish school at Pozsony (Bratislava) in 1901: "Jews will never be assimilated and will never adopt the customs or morals of strangers. The Jew will remain a Jew under all circumstances." (*World Conquerors,* p.21.)

1902—1. Lenin joins Trotsky in Switzerland on Editorial Board of Zionist publication *ISKRA* (*The Spark*—printed in Munich, Germany.

2. Kuhn Loeb & Co. was one of the founders and chief financiers of the scandal-ridden Panama Canal Co.

1903—1. Dr. Simon Flexner, one of three busy brothers, became director of laboratories of the Rockefeller Institute. (AMERICAN MERCURY, November 1958, p. 105.)

2. At the Sixth Zionist Congress in 1903 at Basel, Switzerland, Dr. Max Nordau, an Elder of Zion said (see the *American Jewish News,* New York, Vol. 4, No. 2, September 19, 1919), "Theodor Herzl has considered it his duty to maintain valuable relations with this great and progressive power [England]. Herzl knows that we stand [in 1903] before a tremendous upheaval of the whole world. Soon, perhaps, *some kind of world-congress will have to be called,* and England, the great, free and powerful England, will then continue the work it has begun with its generous offer to the Sixth [Zionist] Congress in 1903. And if you ask me now what has Israel to do in Uganda, then . . . let me tell you *the following words* as if I were showing you the rungs of a *ladder leading upward and upward*: Herzl, the Zionist [1897] Congress, the English Uganda proposition [1903], THE FUTURE WORLD WAR [1914-1918], *the peace conference* [1919-1920] *where with the help of England a free and Jewish Palestine will be created.*"

"Like a mighty thunder these last words came to us, and we all were trembling and awe-struck as if we had seen a vision of old."

The above speech was also printed in the *Fascist,* [*London*] February, 1937, and has been mentioned in a number of books, including (on Page 221) *Democracy and World Dominion,* by the great educator, Edwin D. Schoonmaker (publisher, Richard R. Smith, New York City, 1939).

3. Speyer & Co., the Zionist banking house, gave Mexico a loan of 12½ million dollars and secured all oil concessions in Mexico. From then on the Hidden Hand dominated Mexico.

1904—1. Kuhn Loeb & Co. (a Rothschild international banking firm) financed the war of Japan against Czarist Russia and a planned revolution in Czarist Russia followed one year later.

2. Chaim Weizmann commented as follows on Theodor Herzl's *Judenstaat*:

"Four years ago world Jewry was divided into two camps: one on the east and one on the west. And when Herzl arrived and said to us that *we must unite Eastern and Western Jewry,* we carried out this order accordingly. *Our unity* to-day is Theodor Herzl's legacy to the Jewish people."

Theodor Herzl's *Judenstaat* states: "Wir sind ein Volk!"—"We are one people!" *And to-day this is the only unity existing* in a world divided into two hemispheres.

"We are one people despite the ostensible rift, cracks and differences between the American and Soviet democracies. We are one people and it is not in OUR INTERESTS that the West should liberate the East, for in doing this and in liberating the enslaved nations, the West would inevitably deprive Jewry of the Eastern half of its world power." (Chaim Weizmann statement in *World Conquerors,* p. 227.)

3. International Workers of the World (IWW) starts promoting violence and trouble in U.S. Austrian-born Felix Frankfurter later was counsel for IWW anarchists.

1905—1. Sidney Hillman (Schmoul Gilman) was educated as a Rabbi. (See *Who Was Who in America,* Vol. II, p. 254.)

2. Abortive Revolution in Russia failed. It was led by Sidney Hillman who later came to the U.S. to direct "world operations." Another leader in the same revolution was Leon Trotsky (Leiba Davidovitch Bronstein). During the revolution the Rothchilds helped finance, they had their termites in Russia destroy and sabotage the oil wells and refineries. It took many years to offset this tremendous sabotage. It handicapped Czarist Russia some years later when "Planned WWI" started.

3. Intercollegiate Socialist Society formed. Felix Frankfurter was a founder.

4. A copy of *Protocols of the Elders of Zion* was recorded in the British Museum, in London.

5. We quote from p. 76 of *The World at the Cross Roads,* by Boris Brasol:

"According to the information of the London *Jewish Chronicle,* the contribution of international Jewry to the Russian revolutionary cause in 1905 reached the sum of £874,341. (Nearly $4,500,000 in our currency.)

No wonder *Mr. George von Longerke Meyer, United States Ambassador to Russia* during the Russo-Japanese War, stated in an official letter, dated December 30, 1905, to Mr. Elihu Root, then U.S. Secretary of State, that:

"The Jews have undoubtedly to a large extent furnished the brains and energy in the revolution throughout Russian."

Neverthless, in 1905, the revolution financed by Jacob H. Schiff failed.

1906—1. In 1906, a dissolution suit was brought by the Attorney General, for the U.S. Government, against Rockefeller's Oil Company. The case was closed in 1908. *The U.S. Supreme Court ruled against the Rockefeller interests in May 1911 and fined them* $29,000,000. The State of Texas issued an injunction against the Rockefellers doing business in that state. William H. Allen's book, *Rockefeller: Giant, Dwarf, Symbol,* gives some of the details of the Rockefellers' prior questionable operations. When the Rockefellers maneuvered out of the fine of $29 million, Federal Judge Landis, who conducted the government trial, bitterly commented: "You can't convict a million dollars." (AMERICAN MERCURY, November 1958, p. 104.)

From the beginning the Rockefellers were financed by the Kuhn Loeb & Co. and other Zionist bankers. The Rothschilds *advised and guided* the Rockefellers. They had a deal to divide the world petroleum markets. (See *Rothschilds and Rockefellers: Dedicated Monopolists,* AMERICAN MERCURY, November 1958. p. 100.)

2. In the "Jewish Encyclopaedia," (1906) we read:

"It [Schiff's firm] subscribed for and floated the large Japanese war loan in 1904-1905." (*The Alien Menace,* p. 112).

1907—

> The Rothschilds financed the Alliance Israelite Universelle, which published the following statement [1907] in Russia and elsewhere: *"Capture the press! Through it everything will come to you in the natural course of events."* Adolphe Cremieux, founder, Alliance Israelite Universelle. Quoted by A. Shmakoff, Address in Defense of T. Dokshin and others, p. 36. Moscow University Printing Office, 1907.

1. Labor Zionist Organization of America—Poale Zion, was organized in the U.S. to infiltrate labor activities.

2. "There was another great crisis when the Knickerbocker Trust failed because manipulators of the millionaire class wilfully created a run on the banks, from which they emerged incomparably more powerful, having bought up the stock of the ruined victims which they held to resell at par. *At the same time, the Steel Trust was able to complete its absolute monopoly.* Solomon Loeb, of Kuhn, Loeb & Co., was a member of the Knickerbocker Trust." (*Deadlier Than The H Bomb,* p. 45.)

1908—1. The Socialists financed by the International Banking group, said they would, in the future, "bury the whole Capitalistic system."

2. On advice of the Rothschilds the Belgian Government acquires the Belgian Congo. Edward Seugier is sent there—to Elizabethtown. War minerals and other reasons we mention later.

3. Abraham Flexner became education "expert" for the Carnegie Foundation for the Advancement of Teaching. (AMERICAN MERCURY, November 1958, p. 106.)

4. Federal Council of Churches of Christ organized at suggestion of Rothschild. Rockefeller and Carnegie interests active in it. Their Foundations later helped finance it. 75 per cent of its finances have come from sources outside of its church membership. Congregations don't vote. "Selected" delegates meet only once every four years.

> During a heated Congressional investigation into white slavery The American Jewish Congress was formed. (See p. 96, "International Jew," by Henry Ford, Sr.) (During years that followed, the *AJC and FC of C were to work closely together on many projects.*)

1909—1. WALTER RATHENAU, Zionist, Financial Dictator of Germany, selected by I.B. after WWI in *The Wiener Free Presse,* December 25, 1909: "Only 300 men, each of whom knows all the others, govern the fate of Europe. They elect their successors from their entourage. These Jews have the means in their hands of putting an end to the form of any State which *they* find unreasonable."

2. E. Alexander Powell, author of *The Unseen Empire of Finance,* a carefully documented research book, wrote in *The Saturday Evening Post,* June 19, 1909 that: "The European peoples are no longer under the Government of the respective nations. They have passed under another scepter. *They have become the subjects of another Power—a Power unseen,* but felt in palace as in cottage, in Russia as in Spain, by every parent and child, by every potentate and every laborer. No nation on the European continent has any longer an independence that is more than normal. *The Political autonomy of every one of them has been surrendered to the will of a despotism before which every kingdom and empire and republic fawns in the most abject subserviency.*" (Above also in *Zionist Network,* p. 6, by Senator Jack B. Tenney.)

1911—1. "Mr. Paul Warburg was brother-in-law to Mr. Jacob H. Schiff. [Warburg was born in Germany.] His brothers conduct the powerful German banking-house of M. Warburg and Company, in Hamburg, financing the German shipping industry and controlling the Hamburg-American and North German Lloyd lines. Herr Max Warburg, head of this banking-house, played an important part in German politics, particularly at the time the Kaiser fled to Holland. Dr. Carl Melchoir, a partner in it, was one of the five German delegates-in-chief at the Peace Conference at Versailles [1919], and in later years [1930] was prominent in the founding of *the Bank for International Settlements.* The central bank of the central banks *established in Switzerland, which has been internationalized in peace and war alike,* pays no taxes, and is above and beyond all law." (*All These Things,* by A. N. Field, p. 5.)

2. Correspondence of the Rothschilds to the German Kaiser reveals Rothschilds wanted WWI delayed. They needed our Federal Reserve Act to finance World Wars. (*International Jew* by Henry Ford, Sr., p. 204.)

3. The International Group running the Carnegie Foundation trustees' meeting "discussed the advantages of *changing our government and institutions through war.*" (Later Alger Hiss was president of this "international" outfit.)

4. "I felt constrained to point out [to Kaiser Wilhelm II on his last visit to England in 1911] that the Jews . . . had captured and controlled the larger part of the German press. He did not dissent." Herbert Henry Asquith, Prime Minister of England 1908-1916. (*The Genesis of the War,* New York, 1923, p. 89.)

5. The Zionist organization sent a German geologist, Professor Blankenhorn, to investigate the potentialities of the Dead Sea region in Palestine. (*The Alien Menace,* p. 168.)

1912—1. Bernard Baruch ushered into the President's office in the White House his very weak protege, the college professor, Woodrow Wilson.

2. Richard J. H. Gottheil wrote that "The closer Jews are kept within the fold, the greater their interest in Jewish life and thought."

3. "The best pamphleteers, the ablest journalists of Europe, kept on the payroll of the various financial groups, were *feverishly preparing public opinion for the future conflict between the* European countries." (Boris L. Brasol)

4. ". . . Finally it should be borne in mind that the press bureaus and the great Eastern dailies exert a disproportionate influence on the American press as a whole . . . The foreign news which came through these bureaus was primarily composed for the New York papers, so, *in the last analysis, the control of the New York press meant the control of the entire American press.*" (Horace C. Peterson)

5. ". . . The Northcliffe [Jewish-owned] press did more before and during the war to embitter and *deliberately poison the English mind against Germany* than any other agency." (Clinton Hartley Grattan)

1913—1. Colonel E. Mandell House wrote a book, *Philip DRU,* Administrator (*D*avid-*R*ex-*U*niverse, See AMERICAN MERCURY, November 1954, p. 131.) (Researchers say that E. Mandell House was an agent of the Rothschilds.)

2. President Wilson (during brief moments when he was not dominated by Brandeis, Baruch, Frankfurter, etc.) wrote "we know that something intervenes between the people of the U.S. and the control of their own affairs at Washington." (*Far and Wide,* p. 327.)

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The Hidden Hand put across *five related items* in 1913:

1. Graduated income tax law was passed. (16th Amendment.) A fundamental rule, laid down by *The Communist Manifesto,* for the destruction of society is "A heavy, progressive or graduated income tax."
2. The Federal Reserve Banking Act was passed, Dec. 23—two days before Christmas. It permitted aliens, through our privately-owned Federal Reserve Banks, to finance the

world wars — which — were "planned." Elihu Root blasted this dangerous act in the Senate Dec. 13, 1913. (See *Money Made Mysterious*—3rd Book.) 4,000 pages of fine print were later slipped into it! The act had been drafted at Baruch's Jekyl Island in a secret conference.

3. The Anti-Defamation League (ADL) was organized by B'nai B'rith. (*Its pressure and intimidation record*, and the sad events that happened thereafter, speak for themselves.)
4. The Rockefeller Foundation was established. Thereafter this outfit and the ADL were to cooperate. (Remember the 2 blades of a pair of scissors.)
5. *U.S. Senators would no longer be selected by the Legislatures of each of the States.* Thereafter Senators would be elected by the masses. This give the Internationalists and their Controlled Press control of the Senators by their control of all communication media. They already had it on the Congressmen.

From this date forward, we were to be lied to, brainwashed and betrayed. Nationalism was thrown out the window for un-American internationalism. The money properly belonging to the citizen was taken from him by the Marxist graduated income tax and squandered by the internationalists through "their controlled government." Planned and promoted wars followed.

1914—1. As the Zionists forced England into war, the United States placed Henry Morgenthau, Sr., as its Ambassador and Louis Einstein as its Special Minister, at the critically important Constantinople post.

2. Paul M. Warburg said, at a Congressional hearing: "I only decided to become a citizen *after* I was convinced the U.S. money system would be reformed." (*The Hidden Empire*, p. 63.)

3. Five men who were later to head various governments (Lenin of Russia, Ebert of Germany, Branting of Sweden, MacDonald of England, Stauning of Denmark) *met as members of the International Socialist Bureau of the Second International!*

4. Trotsky was introduced and recommended to them (Kuhn, Loeb & Co.) by the publisher of the . . . revolutionary newspaper, *Forward* of New York . . .

(Henry Coston, *Les financiers qui menent le monde*, Paris, 1955, p. 114.)

5. "One by one the Jews are capturing the principal newspapers of America."

From letter of Sir Cecil Spring-Rice, British Ambassador to U. S. to Sir Edward Grey, British Foreign Minister, November, 1914.

6. At the start of World War I, Edmond Rothschild told Dr. Chaim Weizmann that "It would spread to the Middle East, where things of great significance to Political Zionism would occur." (*Far and Wide*, p. 285.)

7. Colonel C. Repington recounts a conversation he had (April 5, 1921) with Count Mensdorff, Austrian Ambassador in London in 1914, as follows: "Mensdorff thought that Israel had won the War; they had made it, thrived on it, profited by it. It was their supreme revenge on Christianity." (*After The War*, p. 155, Constable, 1922.)

8. Lloyd George, who was counsel for the Zionists in England, was made premier of the English Government and chose to "perform" during World War I. His secretary was Sir Philip Sassoon Rothschild. (AMERICAN MERCURY—KNOW—December 1958.)

9. "The part which Jews all over the world play in white slavery is one of the foulest blots on our people." (*Jewish World*, March 18, 1914.)

10. Mr. Paul Moritz Warburg "practically controls the financial policy of the Adminstration." (Sir Cecil Spring-Rice, British Ambassador to the U.S. From *All These Things*, by A. N. Field, p. 5.)

11. "Assimilation is national suicide." (Louis D. Brandeis before Menorah Society, Columbia University.)

1915—1. In 1915, while the U.S. was at peace, Bernard Baruch took part of his annual income of $2,000,000 to finance the training of soldiers to fight in a war which Baruch said he knew was "certain." (AMERICAN MERCURY—October 1956, p. 83.)

1916—1. After months of terrific battle in Congress, Louis D. Brandeis was confirmed as Supreme Court Justice. He is the uncle of Felix Frankfurter, who years later dominated the Supreme Court. Christopher Sykes, son of Sir Mark Sykes (who was the Secretary of the British War Cabinet), wrote a book *Two Studies in Virtue* in which, referring to the Balfour Declaration and the part played by his father in advancing Zionism, Sykes stated (p. 183):

"He (Mr. James Malcolm) [Malkom, a Zionist] then told Sir Mark Sykes of a very curious and powerful influence which Zionists could exert. One of President Wilson's closest advisers and friends was Justice Louis D. Brandeis, a Jew with the passionate Zionist faith of a recent convert.

"That Wilson was attached to Brandeis by ties of peculiar hardiness. because, so the story ran, in his earlier days the future President had been *saved by this man* [*Brandeis*] *from appearing in a damaging law-*

suit. It was said *that Brandeis was regarded by Wilson as the man to whom he* owed his career."

(Researchers said President Wilson was involved in "moral problems" at Princeton University, that Samuel Untermeyer had some damaging letters returned to Wilson after Brandeis was put on the Supreme Court). Re: Mrs. Peck, we quote from others: —

"Woodrow Wilson's friendship with Mrs. Hulbert Peck (of Princeton, New Jersey) . . . lasted for seven years . . . It was wrecked in the end by gossip. The so-called Peck scandal furnished the zest for the whispering campaigns of two Presidential elections . . . Wilson had written hundreds of letters to the charming divorcee." (George S. Viereck)

"It seems that the Peck letters were finally acquired by the Wilson estate." (George S. Viereck)

"Mrs. Peck never demanded and Woodrow Wilson never paid hush money or blackmail." (Edward Mandell House) Probably correct—the placement of Brandeis on the Supreme Court was the price the *American public paid!*

2. "A note drawn up by the American official [intelligence] services and transmitted by the High Commissioner of the French Republic in the United States, contained the following passage: 'In February, 1916, it was learned for the first time *that a revolution was being fomented in Russian*. It was discovered that the undermentioned persons and concerns were engaged in this enterprise of destruction:

(1) Jacob Schiff; (2) Kuhn, Loeb & Co., Directors: Jacob Schiff, Felix Warburg, Otto Kahn, Mortimer Schiff, Jerome Hanauer; (3) Guggenheim; (4) Max Breitung." (From the *American Consulate,* Elbridge D. Rand, American Consul, Geneva, Switzerland, message dated January 21, 1929.) (NATIONAL ARCHIVES Dept. of State, Decimal File, 1910-1929, No. 861.4016/-325.)

3. Of the 63 delegates of the Committee of Russian Revolutions that met in New York City, 50 were veterans of the 1905 revolution.

4. Zionists secretly maneuver Palestine "deal." Documents available.

5. The notorious "Sunrise Conference" with the President held in Washington. The record of this sinister meeting was suppressed. (In 1938 the Hidden Hand got our Senate Military Affairs Committee to hold a similar conference. Senator Bridges said in the "*New York Herald Tribune*," March 2, 1939, "If the American people ever learn what was said there—the nation would be shocked and stunned." (*Democracy & World Dominion,* p. 312.)

6. President Woodrow Wilson was re-elected on the slogan "He kept us out of war." (At the same time, he and his foreign advisers were secretly taking steps to involve us in this unnecessary war.)

1. In 1917 "The Bolshevist Revolution was not, as it is called, a revolution but actually *an invasion.*" (*Democracy & World Dominion,* p. 210.)

2. Rabbi Wise says (*New York Times* 3/24/17): "I believe that of all the achievements of my people, none has been nobler than the part the sons and daughters of Israel have taken in the great movement which has culminated in free Russia." [revolution]. (From speech of Rabbi Stephen S. Wise, March 23, 1917, to a mass meeting celebrating the revolution in Russian.)

3. (April) Jacob H. Schiff of K. L. & Co. made a public declaration that it was due to his financial help that the Russian Revolution had succeeded.

4. "I have just had a long talk with Simonds of the *New York Tribune*. He is prepared to help us [Zionists] to speak with vigor, editorially, on our behalf, but I think a word of yours to him will be important." (Letter of Rabbi Stephen S. Wise to Justice Louis D. Brandeis—May 10.)

5. We quote from the *Jewish Communal Register* of New York City: "The firm of Kuhn Loeb & Company floated the largest Japanese war loan of 1904-05 thus making possible the Japanese victory over Russia. . . . Jacob Schiff financed the enemies of autocratic Russia and used his financial influence to keep Russia from the money markets of the United States."

6. ". . . The uprising of July 4, 1917, was intended to overthrow the Provisional Government according to the plans of Lenin and Trotsky. The revolutionaries were disconcerted by the intervention of a solitary regiment which had been withdrawn from the front and scattered themselves. Lenin escaped but Trotsky was arrested. Their cause appeared lost. But the Bolshevists had given proof of their courage, and *a telegram arrived to bring them* news of the financial support of Jacob Schiff, who was determined to push *the Russian Revolution to the end. The importance of these funds placed at the disposal of Lenin and Trotsky in order to foment the Bolshevik insurrection of October, 1917, has not been fully realized.* This action overthrew the Kerensky government and set up the Soviet regime. How these funds got to them is known. The United States Government published in October, 1918, a series of official documents entitled *The German-Bolshevik Conspiracy.*" (Henry Coston, *Les Financiers qui menent le monde,* Paris, p. 114.)

7. Max Warburg of Hamburg (Sept. 21) opened by cable an account at (Rothschilds) Nya Banken in Stockholm, Sweden for Trotzky (Bronstein).

8. October 17. Zionists dominated

England and France, betrayed the Arab-Moslem people and bargained away their Palestine territories. Lawrence of Arabia, an Englishman who was loved, trusted, and respected by the Arabs, returned to the British Government the decorations they gave him. (Shouldn't Eisenhower, as Commander-in-Charge of the U.S. Armed Forces, also return the valuable military decorations he received from Soviet Russia?)

9. ". . . Wladimir Olaf Aschberg . . . acted as the intermediary [in Stockholm, Sweden] between Kuhn, Loeb & Co. in New York City and the firm of Max Warburg (in Hamburg) when they were financing the (Bolshevik) revolution of October, 1917. *Aschberg* was the head of the Nya Banken in Stockholm and later, in 1921, founded the Russian Commercial Bank. Thanks to this institution he became in a sense the dictator of Soviet finances." (Henry Coston, *Les financiers qui menent le monde*, Paris, p. 115.)

"In the match between these two heavyweights (the United States and the Soviet Union) the International Finance of the United States will have trained the adversary." (Comte de Saint-Aulaire, *Geneva Versus* Peace, London, 1937, p. 75) (LIBRARY OF CONGRESS: JX1975,-S.32) (He was the French Ambassador to the Court of St. James, London, from 1920 until 1924.)

10. From the great book—*World Revolution—The Plot Against Civilization* by the famous English historian, Nesta H. Webster, p. 93, we quote: "In a word, *the peasant inherited from the aristocrat; he was disinherited by the usurer*. Here is the true history of the disinherited, not in France alone, but in Russia, in Austria, in Poland; everywhere that the worker lives by tilling his own soil the abolition of feudalism has lead to the domination of the money-lender, and the *money-lender is in most* cases a Jew."

11. We quote from Page 187 of *Two Studies in Virtue* by Christopher Sykes, as follows:

"Sokolow made a simple request, namely that the Zionist Committee should have facilities for communications abroad. *He pointed out they were an international body.*—that they should be granted Governmental privileges . . .

"It was agreed that the War Office and the Foreign Office would send Zionist letters and telegrams by way of Embassies, Consulates or Headquarters."

12. Jacob H. Schiff, the leader of the Zionists, finances the complete rewriting of the Bible provided it done under Jewish auspices—(See his book, p. 63, VII, also AMERICAN MERCURY, July, 1958, p. 120.)

13. *On Good Friday*, April 6, 1917 the Conspirators got the United States to foolishly declare World War I on Germany and to become an ally of the Revolutionists who had

invaded and now dominate Russia. (It was also on Good Friday, April 14, 1865 that Abraham Lincoln was murdered.)

14. "Official information emanating from Russia itself informed the world that Communism, while barbarously opposed to every form of Christianity, made it a crime for any comrade to utter a single word of reproach against the Jews.

"The 1917 list of those who, with Lenin, ruled many of the activities of the Soviet Republic, disclosed that of the 25 quasi-cabinet members, 24 of them were atheistic.

"Between the years 1917 and 1938, more than 20 million Christians were murdered by the Communistic government in Russia.

"Between these same years, 40 billion dollars of Christian property was appropriated by the Lenins and Trotskys, the Zinovieffs and the Kemeneffs, the Litvinoffs, and the Lapinskys—by the atheistic Jews and Gentiles—both of Russia.

"Those were the desperate days when Christians were not expelled from their native land but were the targets for the machine gun which beat out its tattoo against human hearts; incredible days when the altars of Christ were desecrated and the servants of Christ were massacred on ever-multiplying Calvaries." (From nationwide broadcast of Rev. Charles E. Coughlin, Sunday, Nov. 29, 1938.)

15. Since 1917, Red Russia has been the operating base of the conspirators. Later, evil men in the U.S. financed and industrialized it. (AMERICAN MERCURY, January 1959, *Mercury's Opinion*, p. 110.)

1918—1. ". . . I think that a Jewish Palestine must become a war aim for America . . ." Letter of Dr. Chaim Weizmann to Justice Louis D. Brandeis, Supreme Court, dated January 14.

2. Sixty-Fifth Congress, House Document 1868, Exhibit 243, "Paper Relating to Foreign Relations of the United States" contains a whole series of documents showing how the International Bankers financed Lenin and Trotsky (Bronstein). Transfer of funds started in June 1917. Document 9 shows that the international banking house of M. Warburg opened an account for Comrade Trotsky to purchase arms, etc. Also Document 12 shows transfer of funds for "agitation against England and France."

3. Soviet Russia law passed. "From 3/1/18 on, the right to possess women having reached the age of 17 and not more than 32, is abolished. Women proclaimed to be the property of the whole nation. The former owners may retain the right of using their wives without waiting for their turn." (*The Hidden Empire*, p. 47)

4. The United States Secret Service (2nd Army Bureau) named the persons who financed the Bolsheviks in 1916. The State Department, un-

der Jewish pressure, destroyed this report. As the report remarks: "All Jews".

5. "We are living in a highly organized state of *socialism*. The state is all; the individual is of importance only as he contributes to the welfare of the state. His property is only (his) as the state does not need it. He must hold his life and his possessions at the call of the *state*". Bernard M. Baruch in *The Knickerbocker Press*, Albany, New York, August 8, 1918.)
(This also relates to the [Rothschilds] Alliance Israelite Universelle's bulletins stating "Nationalities must disappear, religion must be suppressed. But Israel [i.e., Zionism] must not disappear.")

6. The First World War brought to Edward Rothschild and his associates more than one hundred billion dollars of profit.
(*The Secret World Government*, by Major General Count Cherep-Spiridovich, p. 29.)

7. Bolshevist revolutionaries in Russia murdered the royal family, and many others, thus launching their regime in blood.

8. Bernard Baruch, testifying at a Congressional inquiry, said: "I had more power than any other man in the war."

9. U.S. Government paid Col. E. Mandell House $60,000 for expenses in N.Y.C. (for 6 months, July 1 to December 31, 1918.)

10. Bernard Flexner joins Roger Baldwin and is counsel of Zionist delegation to 1919 Peace Conference. (Records of both of these men speak for themselves.)

11. *"How these subsidized Alien revolutionaries, having invaded Russia, proceeded to murder and rob on a wholesale scale has been recorded by many persons who had the misfortune to be in Russia during the Bolshevik Revolution." (The Alien Menace,* pages 113-114.)

12. Those who wish to go further in the history of this *plot against civilization should* consult the books quoted; also *Russia's Ruin*, by Wilcox (Chapman & Hall, 1919). (*The Alien Menace,* page 114.)

13. See MERCURY article, pages 115-116, February, 1958, entitled *Felix Frankfurter and Louis D. Brandeis.* On 3/2/18, Frankfurter in Paris and Brandeis in the U.S., were raising a million dollars (for Weizmann to use in London).

14. Very few Christians have ever read *The World Significance of A Jewish State*, by Braintruster A. A. Berle. Berle and Herzl had similar objectives.

1919—1. Peace of 1919. Dr. E. J. Dillon of the London *Daily Telegraph* wrote in his book *The Inside Story of the Peace Conference,* (Harpers, 1920, p. 497) that the delegates to the 1919 Peace Conference from Eastern Europe set down the formula: "'Henceforth the world will be governed by the Anglo-Saxon people, who in turn are swayed by their Jewish elements' . . . who regard it as fatal to the peace of Eastern Europe." (Page 497.)

2. Between 1919 and 1924, three million *recorded* immigrants came to the U.S., mostly from Eastern Europe.

3. *Professor J. R. Commons,* of the University of Wisconsin, *testified* before the United States House of Representatives Banking and Currency Committee in 1927 that a member of *the Federal Reserve Board had told him that the great inflation of 1919 was deliberately created by the Federal Reserve Board.* (*All These Things,* by A. N. Field, p. 6.)

4. *Council of Foreign Relations* was launched by Rothschild and Rockefeller at the sinister Versailles Peace meeting along with the Royal Institute of International Affairs, London.

Annual grants by the Rockefeller Foundation provided a direct, continuous method of control of both organizations. The Carnegie Foundation and later the Rockefeller Foundation were to constitute a gigantic lobby and pressure group serving to brainwash, and to influence and warp (or "mold") the various nations' policies. Top government officials were influenced to come to the Council of Foreign Relations for "advice" and "guidance." (See Reprint *Weinberg Replaces Baruch.*)

5. Read *The Inside Story of the Peace Conference* (Harpers) by Dr. E. J. Dillon, for the story of who put across the vicious Versailles Peace Treaty, which made a subsequent World War inevitable.

6. In the new constitution recently adopted in the USSR there is an interesting provision which relates to the passing of Russia. The Christian religion has for centuries been the religion of the Slav, and of the other races of Europe. The record of hatred of the Bolsheviki and the Soviet Government for that religion has been noted.

7. In Article 124 of the new Soviet constitution there is the following:

"Freedom to perform religious rites and *freedom of anti-religious propaganda is recognized for all citizens.*" Significant as this is, it becomes even more so when related to a provision in the preceding article, 123:

"Any direct or indirect restriction of these rights . . . as well as any propagation of racial or national exceptionalism or hatred and contempt, is punishable by law."

8. The following extracts are quoted from the testimony of witnesses before the U.S. Senate Overman Committee. (Also printed in *Democracy and World Dominion,* per pages listed.)

"The leaders of the movement, I should say, are about *two-thirds Russian Jews.*" (William C. Huntington, Commercial Attache of the

United States Embassy at Petrograd from June, 1916, to September, 1918. Page 69.)

"In Russian it is well known that three-fourths of the Bolshevist leaders are Jewish." (Mr. Welsh, for two years a junior officer of the National City Bank in Russia. Page 269.)

"When the Bolsheviki came into power, all over Petrograd we at once had a predominance of Yiddish proclamations, big posters, and everything in Yiddish." (Dr. Simons, Pastor of the Methodist Church in Petrograd. Page 142.)

In the *Yale Review* in an article entitled *The World Menace, Mr. Henry C. Emery, LL.D.*, former chairman of the United States Tariff Board, supported this testimony. *"No one who ever made a visit to Smolny Institute, when that was the headquarters of the Bolshevist government in Petrograd, could fail to understand how easy it is to get the impression that the Jews have at last seized power."*

9. Potent international financial interests were at work [at the Peace Conference] in favour of the immediate recognition of the Bolshevists. Those influences had been largely responsible for the Anglo-American proposal in January [1919] to call Bolshevist representatives to Paris at the beginning of the Peace Conference . . . *The well-known American-Jewish banker, Mr. Jacob Schiff, was known to be anxious to secure recognition for the Bolshevists* . . . and Tchitcherin, the Bolshevist Commissar for Foreign Affairs, had revealed the meaning of the January proposal by offering extensive commercial and economic concessions in return for recognition." (Henry Wickham Steed, *Through Thirty Years*, New York, 1924, Vol. 2, p. 301.) (Mr. Steed was the Editor of *The Times*, London.) (LIBRARY OF CONGRESS: D 397 S 75.)

10. Victor Marsden, the London *Morning Post* reporter who spent many months in Russia, stated that "among the 545 leading Bolshevik officials there were 377 Jews at the birth of Bolshevism."

11. The German people were robbed and weakened by inflation. As a result of the international bankers conspiracy, it took a billion-mark stamp to send one letter in Germany.

12. British War Cabinet issues official "White Paper" listing Kuhn, Loeb & Co. and other Zionist bankers who financed Red Russian Revolution.

13. In March, Third International was organized by Zionists. (See H. Fish Report, No. 2090)

14. March 1, Capt. Schuyler's report. Here are exact quotes from document in our possession:

"You will think I am hot about this matter [Bolshevism] but it is I feel sure one which is going to bring great trouble on the United States when the judgment of history shall be recorded on the part we have played. It is very *largely our fault that Bolshevism has spread* as it has . . ." (From confidential report of Capt. Montgomery Schuyler, Chief United States Army Intelligence Officer, Omsk, Siberia, to Lt. Col. David Prescott Barrows, Intelligence Officer, American Expeditionary Forces, Vladivostok, Siberia, March 1, 1919, Page 2.) (NATIONAL ARCHIVES, Military Intelligence Files.)

15. ". . . The prime movers [for the recognition of the Bolshevists at the Peace Conference in 1919] were Jacob Schiff, Warburg, and other international financiers, who wished above all to bolster up the Jewish Bolshevists." (Henry Wickham Steed, *Through Thirty Years*, New York, 1924, Vol. 2, p. 302.)

16. ". . . Trotsky was furnished large sums of money in America and . . . sent to Russia" (Erich Ludendorff, Kriegshetze and Volkermorden in den letzten 150 Jahren, Munchen, 1936, Page 149). (General Ludendorff was Commander-in-Chief of the German Army in WWI.) (LIBRARY OF CONGRESS: D 359 L 86, 1939.)

17. "The collapse of these three Powers [*Germany, Austria-Hungary and Russia*] in their old form represents a considerable gain for the carrying on of a Jewish national policy, and the fact that the same war, which brought about the world-wide recognition of Zionism, *also brought about the fall of the three anti-Jewish Powers*, is a unique coincidence which my well give cause for thought." (*Der Jude*, Vol 3, p. 449, Dr. Martin Buber, Publisher, Berlin, 1918-1919)

18. The Communist Party was set up in the U.S. on September 1, 1919.

William Z. Foster (wife, Esther Abramovich) became its first general secretary. *The Daily Worker*, the Communist New York daily, began its first publication about the same time.

19. The Versailles Peace Conference imposed on Germany the harsh conditions that sent the nation reeling toward Communism, depression, and finally, despotism.

20. Bernard Baruch was invited to become the Soviet Union's peace-time adviser on industry and resources.

21. Dr. Weizman said "we do not aspire to found a Zionist State. We cannot hope to rule in a country in which only 1/7th of the population *at present* are Jews." (*Far & Wide*, p. 318.)

22.

> In the hearings before the Committe on Foreign Relations, United States Senate, Sixty-Sixth Congress, Document 106, p. 536, we quote:
>
> Senator McCumber questions President Woodrow Wilson: "Do you think if Germany had committed no act of war or no act of injustice against our citizens that we would have gotten into this war?"
>
> President Wilson: "*I do think so.*"
>
> Senator McCumber: "You think we would have gotten in anyway?"
>
> President Wilson: "*I do.*"
>
> (We also have this document.) PLEASE RE-READ THIS ITEM.

23. Poisonous Hidden Hand propaganda started to flow into the minds of United States citizens.

24. "Jewish hopes for the future depend on two lynch-pins. One is the League of Nations idea, and the other is the British Government, and we need scarcely say that we refer to Jewish hopes in the widest application of the term." (*The Jewish World*, London, January 15, 1919 [No. 2392], p. 5.)

"There must be a proper lookout for the civic and political rights and the status of Jews in various countries *unless there be established a Power above all nations . . .*" (Ibed, p. 5.)

25. "Peace" Conference in Paris in 1919 made the eventual resumption of war inevitable, owing to its impossible financial clauses.

At this conference the chief financial adviser to the German delegation was Dr. Carl Melchior, partner of Max Warburg, whose brothers Paul and Felix were partners of Jacob Schiff, in Kuhn, Loeb & Co. The chief economic adviser to the American delegation was Bernard M. Baruch, the dictator of the all-powerful War Industries Board in America during the war and an associate in business of Jacob H. Schiff. The British economic delegation was headed by Lord Cunliffe, former Governor of the Bank of England and a partner in the international Jewish banking house of Goschen (ancestral city—Leipzig, Germany). In connection with this conference, Lloyd George wrote in his memoirs: "They (the international bankers) swept statesmen, politicians, jurists and journalists all on one side *and issued their orders* with an imperiousness of absolute monarchs who knew that there was no appeal from their ruthless decrees." (*Deadlier Than the H. Bomb*, p. 47.)

26. "The *second reason for large scale Communist exploitation* of the United States was *our traditional lack of any laws prohibiting or regulating immigration into the United States and our negligence or politics in enforcing immigration laws when they had been passed* (Chapter II, *Iron Curtain Over America* by John Beaty.) "The illegal entry of aliens into the United States is one of the most serious and difficult problems confronting the Immigration and Naturalization Service . . . Since the end of World War II, the problem of illegal entry has increased tremendously . . . There is ample evidence that there is an alarmingly large number of aliens in the United States in an illegal status. Under the alien registration act of 1940 some 5,000,000 aliens were registered." (*The Immigration and Naturalization Systems of the United States*, pp. 629, 630).

"The third principal reason for the Communist exploitation of the United States was the absence of any effective policy regarding resident foreigners even when their activities are directed toward the overthrow of the government. Thus in 1950 several hundreds of thousands of foreigners, among the millions illegally in this country, were arrested and released for want of adequate provisions for deporting them.

"Persons of Khazar background or traditions had entered the United States in large numbers in the waves of immigration between 1880 and the outbreak of World War I in 1914. The Soviet seizure of Russia took place in 1917, however, and the *hey-day for Communist-inclined immigrants from Eastern Europe was the five-year period between the end of World War I (1919) and the passage of the 1924 law restricting immigration. Recorded immigrants* to this country in that brief span of time *amounted to approximately 3 million and large numbers of newcomers were from Eastern Europe."*

(*The Iron Curtain Over America*, by John Beaty, p. 45.)

27.

> Lenin said: "The First World War gave us Russia, *while the Second World War WILL hand Europe to us."* (Note the certainty of World War II. It came, "as planned"—20 years later.)

The above statements by Zionists are startling. More facts about the "transnationalists" will appear in subsequent issues of MERCURY. Part I is ready in reprint form.

The way you can help stop this Conspiracy against Mankind, is to force Congress to stop giving money or material to the Soviet Bloc and Israel.

We must immediately stop sale of Israel bonds and remove the tax-exempt status on gifts to Israel.

The international character of the network of Zionist organizations is obvious.

Dual loyalty, urged by Dr. Nahum Goldman, president of the World Zionist Movement and also president of the World Jewish Congress, has caused real Americans great concern. (See AMERICAN MERCURY, June, 1959, *This Is What They Said*, p. 146.)

(Part II of this sensational article will soon appear.)

(Emphasis has been supplied in most quotes.)

The following books are listed in the same order as they were mentioned in above article.

The Jewish State by Theodor Herzl, 1896. . . . **Zionist Network* by Senator Jack B. Tenney, Standard Publications, P. O. Box 2003, Sacramento, California. $1.00. . . . *Foundations of the Nineteenth Century*, by H. S. Chamberlain, Vol. I. . . . †*Democracy and World Dominion* by Edwin D. Schoonmaker, Richard R. Smith, New York 1939, $3.00. . . . **The World Conquerors* by Louis Marschalko, Joseph Sueli Publications, London 1958, $2.00. . . . *The World at the Cross Roads* by Boris Brasol, Boston, 1921. . . . *Rockefeller: Giant, Dwarf, Symbol* by William H. Allen, Institute for Public Service, New York, 1930. . . . *Jewish Encyclopedia*, 1906. . . . **Deadlier Than the H-Bomb* by Commander Leonard Young. . . . **International Jew* by Henry Ford, Sr. . . . *The Unseen Empire of Finance* by E. Alexander Powell. . . . *All These Things by* A. N. Field. . . . *The Genesis of the War*, New York, 1923. . . . *The Alien Menace* by Lt. Colonel A. H. Lane. Boswell Printing & Publishing Co., Ltd., 10 Essex Street, Strand, London W.C. 1, 1932. . . . *Philip DRU, Administrator* by Col. E. Mandell House. . . . **Far and Wide* by Douglas Reed, Jonathan Cape, 30 Bedford Square, London, 1951. . . . *The Hidden Empire* Published in London. . . . *After the War*, Published by Constable in 1922. . . . *Two Studies in Virtue* by Christopher Sykes. . . . *Les Financiers qui menent le monde*, by Henry Coston, Paris. . . . *Geneva Versus Peace*, by Comte de Saint-Aulaire, London, 1937. . . . *World Revolution*—The Plot Against Civilization by Nesta H. Webster, London. . . . *Jacob H. Schiff, His Life & Letters* by Jacob H. Schiff. . . . **The Secret World Government* by Major General Count Cherep-Spiridovich, New York, 1921. . . . *The World Significance of a Jewish State* by A. A. Berle. . . . *The Inside Story of the Peace Conference* by Dr. E. J. Dillon, Harpers, 1920. . . . *Through Thirty Years* by Henry Wickham Steed, New York 1924. . . *Kriegshetze und Volkermorden in den letzen 150 Jahren*, Munchen, 1936. . . . *Der Jude* by Dr. Martin Buber, Publisher, Berlin, Vol. 3. 1918-19. . . . **The Iron Curtain Over America* by John Beaty, Dallas, 1951, Wilkinson. . . .

*Copies of the above marked with an asterick can be acquired from Book Stores and from Women's Voice, 537 South Dearborn Street, Chicago, Illinois. Christian Education Association, Box 807, Union, New Jersey. Cinema Educational Guild, Inc., P.O. Box 46205, Cole Branch, Hollywood 46, California.

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ISSUE FOR 1960

By Willis E. Stone

(EDITOR'S NOTE: Willis E. Stone is author of the "Proposed 23rd Amendment" and Chairman, National Committee For Economic Freedom, Los Angeles, Calif.)

Public opinion appears to have firmly established the "Proposed 23rd Amendment" as the main issue for 1960. Public opinion is now being effectively organized in various sections of the country to make very sure that candidates for public office will reflect the will of the people in the next election.

190 Delegates to the NATIONAL COMMITTEE FOR ECONOMIC FREEDOM, from 35 States, gathered in convention in Chicago on October 23, 1959, and spelled out the reasons for making the proposal the issue for 1960, and to lay the foundations for better organization in the several States. These delegates, in clear and concise language, unanimously made this Declaration:

"The 'Proposed 23rd Amendment' is the main issue for 1960 because:

"(1) It will curtail the federal power to tax and spend which is destroying our Constitutional Republic and the free enterprise system:

"(2) It will curb inflation; restore constitutional states rights and responsibilities; set the farmer free; recover his self respect; recapture his markets at home and abroad; and make honest abundance possible for all:

"(3) It will preserve the American system of medical care, including private voluntary insurance and pharmaceutical industries, which has added 20 years to the life expectancy of the American people during the past half century:

"(4) It will protect the individual citizen from arbitrary political or bureaucratic control of his personal life:

"(5) It will free business from ruthless and expanding federal competition — competition which is tax-free, interest-free, and is subsidized from the public purse:

"(6) It will protect your land, your property and your savings from the ever increasing tax grab of the federal bureaucracy:

"(7) It will stop bureaucratic take-over of our national resources and economic machinery:

"(8) It will eliminate the withholding tax and thus increase take-home pay twenty per cent without changing the rate of pay."

The summary of advantages included in this "Declaration" provides ample reason for the rapidly growing public demand for economic freedom on the terms laid down by the "Proposed 23rd Amendment." They show why the amendment is assuming proportions which promise to make it the main issue for 1960.

Even the most stalwart bureaucrat now admits there is an increasing number of Congressmen subscribing to the proposal as the folks back home are getting up in arms against federal encroachments upon their incomes and enterprises.

The Amendment is pending in Congress as H.J.Res. 23, introduced by Rep. James B. Utt of California. It has enlisted very substantial following, being approved by the Resolutions of more than 6,000 organizations, and having been formally adopted by the States of Wyoming and Texas which have petitioned the Congress to submit it to the States for ratification.

These are the evidences that the public demand for constitutional protection for our economic freedom is achieving enormous dimensions. It has become so determined that it is now predicted that a number of States will join Wyoming and Texas next January by adopting identical Resolutions for the "Proposed 23rd Amendment" which provides that:

"Sec. 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Sec. 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Sec. 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Sec. 4. Three years after the ratification of this amendment, the sixteenth Article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates and/or gifts."

NEWS RELEASE - - -

JACOB K. JAVITS
(R. - N. Y.)
U. S. SENATE

N E W S R E L E A S E

JACOB K. JAVITS
(R.-N.Y.)

FOR RELEASE P.M. NEWSPAPERS
THURSDAY, JUNE 26, 1958

TESTIMONY OF SENATOR JAVITS PREPARED FOR DELIVERY BEFORE THE HOUSE COMMITTEE ON THE JUDICIARY IN SUPPORT OF CIVIL RIGHTS LEGISLATION ON THURSDAY, JUNE 26, 1958, AT 10:30 A.M. IN ROOM 346, HOUSE OFFICE BUILDING, WASHINGTON, D.C.

Out of the frustrations and failures which are summed up in the conditions on which the recent district court decision in Little Rock halting desegregation in the public high school is said to be based, there has emerged the urgent need for participation by the U.S. Government in cases of this kind.

In a telegram to Attorney General William P. Rogers, sent Tuesday, June 24, I strongly urged him to apply in the name of the United States for permission to enter into the proceedings in the Circuit Court of Appeals on the appeal from the district judge's decision. I urge the Attorney General to do so now. Such action would be similar to that taken by the Department in the original public school non-segregation case which ended with the historic Supreme Court decision in 1954 when the Justice Department entered as a friend of the Court and presented arguments in favor of declaring such segregation unconstitutional. It is no less necessary to have the Attorney General in the present case.

As I pointed out in my telegram to Attorney General Rogers, "because the original Supreme Court decision (of 1954) leaves the determination as to timing and means to later adjudication is the very reason why the Department's intervention is now crucial."

I am privileged to appear here today in support of the legislation pending before your committee to strengthen the assurance of Constitutional rights of all American citizens.

Together with Senator Case of New Jersey, I am a co-sponsor in the Senate of a bill (S. 3090, which is substantially the same as HR 10107) to restore a modified and I believe improved Part III to the Civil Rights Act of 1957. As you are well aware, Part III was in the Civil Rights bill that passed

(more)

the House. Under its provisions, the U. S. could take part in any court proceeding to protect the civil rights of any individual against impairment by State or local government authority as of right. It was stricken in the Senate over the strenuous opposition of a number of us in the Senate. A heavy price was paid for the compromise which was thought to be needed to avoid a filibuster on the Civil Rights Bill in 1957. Since any effort to enact what was Part III of the Civil Rights Bill in 1957 in a new law may well run into another filibuster threat, it is well to note that a bill materially revising Senate rules to make far more practical an end to any effort at filibuster is pending on the Senate Calendar; and that there is every assurance, whether on this bill or on the organization of a new Congress in January, 1959, the effort will be made to amend the Senate rules to end this threat. Certainly this should give civil rights proponents a greater sense of determination. Whatever might be the reasons which motivated Senators to vote against Part III in 1957 --- and they were undoubtedly many and varied --- it is my belief that a critical number of Senators did become convinced of the improbability of passing the bill at all with Part III and that their views were necessarily affected by the fillibuster / threat . I believe a more encouraging climate to exist today in this regard.

I believed then and I believe now that the public interest requires the intervention of the dignity and authority of the Federal Government in suits dealing with the deprivation of basic Constitutional rights. The recent decision by the District Court Judge in the Little Rock school board case illustrates precisely the need for this right to intervene by the Federal Government through its chief law enforcement officer, the Attorney General.

When the Supreme Court decided in the Brown case that school desegration must proceed with all deliberate speed, it left the details of implementation to the Federal district courts. In effect that meant that the conditions and requirements, as well as the time element for such eventual integration were to be determined in private legal actions, often at the instance of private litigants. The impact of the Little Rock decision, through its ordered delay of previously determined school desegration, could make the deplorable events in Little Rock a model for all those officials and private citizens who would seek to prevent the abolition of segregation in their

public schools in their states. The ramifications of this case are obvious to anyone upon even slight reflection. If Part III had been enacted in the Civil Rights Bill, as I strongly urged, the Attorney General would now be in the Little Rock litigation. Even without this specific authority the Attorney General should now apply for leave to intervene as a friend of the Court to give full legal aid and assistance in appealing from the district court's order. The very great public interest, which is superior to any private interest involved, appears to me to require this course.

During the Senate debate the wide range of civil rights which were covered by Part III of the bill was fully debated. Briefly these rights are: to attend a desegregated public school, to enjoy equal opportunities to attend a public beach, public golf course, or park and other public facilities like restaurants, trains, buses and trolleys. These are some of the rights protected by the 14th Amendment. There are other vital rights protected by the Constitution, such as the right to vote, to serve on a jury, the right to a fair trial and the very right to be a litigant and to enjoy unintimidated and uncoerced access to the courts of justice.

These are the rights which would have been backed by the full weight of the civil arm of the Attorney General. The Senate did not see fit to follow the lead of the House of Representatives. I assume the decision by the majority of Senators was partly based on the theory of making haste slowly, of awaiting the ameliorating effects of time. Well, we have now had time and an opportunity to observe the tragic events of Little Rock. Time has rendered our original course more compelling. Commencing with the violence which was quelled only by the use of Federal troops in the enforcement of law and order, the episode has been capped by a rationale which in effect seems to mean that this violence and this disregard of law is the way segregation may be continued. It would almost seem that, create enough stress, threaten sufficient violence, render conditions intolerable enough, and this Constitutional right to an equal education may be further delayed. If anything was needed to show the lack of wisdom in omitting Part III, this sad series of events must surely be more than sufficient.

In addition to being a principal sponsor of the bill to enact Part III granting the Attorney General the power as a right to lend the authority

of his civil enforcement power in civil rights deprivation cases, I am also a co-sponsor with Senator Douglas in the bill proposing the Civil Rights Act of 1958, S. 3257 (identical with HR 10601 before this Committee.) This bill declares the responsibility which rests upon the Congress to provide technical and financial assistance and establishes carefully thought out procedures to implement in detail the Constitutional mandate as to public school education of the Brown case.

I have also joined with Congressman Keating in introducing a bill, S. 3947, extending the life of the Civil Rights Commission for nine months more so that it will have ample opportunity to consider and measure up the responsibilities and hopes which the country has rested with it. Senator Douglas and Representative Keating have already testified on the merits of their bills and I wish to state my support without repeating the cases they have made so ably.

Taken together, these bills deal constructively with the major dilemna we are now facing. There is adequate authority in the Chief Executive to enforce the specific mandates of the courts of the United States; he has shown his courage in carrying out this responsibility. But, ironic as it may seem, the very forces which created the violence and gave rise to the tension which led to the need for Federal troops in Little Rock, have now been cited as a reason for ordering the long delay in the integration of the public schools at Little Rock. While direct violence and lawlessness in Little Rock lost the battle, delay could well win the war; yet delay has been ordered by a Federal court which, until and unless it is reversed on appeal, is binding upon litigants including the school board. The first order of business is to get the Attorney General participating in the Little Rock case. The long run hope is in legislation here being considered to include Part III in the Civil Rights bill.

The implication of the Little Rock situation to our foreign policy, to our struggle for peace and to the support of the one billion people of the free world in Asia and Africa whose skins are yellow or black, were made so abundantly clear by the disorders of 1957 that they need not be repeated here. We need only point out that the present Little Rock decision will get the Communists blasting our race relations again, but the Attorney General can be

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as real an answer as the determination shown in ending the riots was in September, 1957.

Again we find the ball back with us in Congress. In the final analysis, this need for action is our obligation. I hope very much that this Committee's actions will help us measure up to our responsibilities.

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PRESS RELEASE

Americans for Democratic Action

1341 Connecticut Avenue, N.W., Washington 6, D. C.

DEcatur 2-7754

Urban Renewal

FOR RELEASE:

Mrs. Page H. Wilson
Director, Public Relations

SATURDAY A.M.
JANUARY 24, 1959

HOUSING EXPERT SAYS BOLDER AND MORE FAR-REACHING PROGRAM

CAN BE PASSED THIS CONGRESS

"Supporters of an adequate housing program should be reluctant to start this year with the compromise they ended with last year, especially when they believe they can do better," Ira S. Robbins, member of the National Executive Board of ADA, said today in testimony before the Senate Committee on Banking and Currency.

Robbins, who is a member of the New York City Housing Authority, pointed out that the sponsor of the bill which the Senate leadership supports had said the bill " 'has already been compromised. It was compromised in committee and it was compromised on the floor of the Senate'." Nevertheless, Robbins continued, the sponsor has urged passage of S. 57, in "the interest of 'moderation' and 'honorable compromise'."

The housing official said "We are not opposed to 'moderation' or 'honorable compromise'... We have compromised our goals of a 'decent home in a suitable environment for every American family' (the language is from the 1949 Act, and it was not too immoderate for Senator Taft), and then we have had to compromise the compromises..."

The ADA spokesman indicated strong preference for Senator Clark's housing bill, which would increase Federal allocations to urban renewal and public housing. The Administration proposals, he said, as contained in the Budget, are "scandalously inadequate."

Robbins said that in view of the many new faces in both Houses, he believes "there are many more votes for a bold and far-reaching program of housing and urban renewal" than there were in the 85th Congress. He said he felt sure "that with the support of the leadership and of this Committee, a better bill can be passed, even if it takes time and disagreement, than one which commanded a large majority of the Senate and nearly two-thirds of the House of the 85th Congress."

"As far back as November," Robbins pointed out, "Senator Johnson said that a home for every American family was one of the goals of this Congress. We challenge you and him to an all-out effort to reach that goal."

Referring to the scaled down 6-year program of urban renewal grants, the ADA spokesman said: "There is a bitter irony in these niggardly proposals coming at the same time and in the same budget as the program to spend more than $3 billion of Federal funds next year... for highways."

(Full text of Mr. Robbins' testimony is attached.)

Americans for Democratic Action
1341 Connecticut Avenue, N.W.
Washington 6, D. C.
DEcatur 2-7754

Testimony of
IRA S. ROBBINS
Member, National Executive Board,
Americans for Democratic Action

before the

SENATE COMMITTEE ON BANKING AND CURRENCY
on S. 57, S. 193 and similar housing bills,

January 23, 1959

Mr. Chairman and Members of the Subcommittee:

My name is Ira S. Robbins. I am a member of the National Executive Board of Americans for Democratic Action. For the purpose of giving you my background, I may add that I have been active in the housing and planning field, including 11 years as a housing official of New York State. At present I am a member of the New York City Housing Authority. I appreciate the opportunity to appear here today to present ADA's views on S. 57, S. 193 and other housing bills.

To begin with, Mr. Chairman, after last year's fiasco, we who are interested in housing are delighted that both Houses of Congress have made such an early start on housing legislation in the 86th Congress. On the other hand, we are puzzled and chagrined at reports of the leadership's intention to "have a housing bill on the President's desk by February." Our concern is reinforced by the remarks of the distinguished chairman of your Housing Subcommittee -- one of the best friends housing has ever had -- when he introduced S. 57 two weeks ago. In presenting the bill, he explained that in the interest of speed he had introduced a bill identical -- except for nine changes to bring it up to date -- with the compromise bill that passed the Senate last year. He made it clear that it did not represent his views on the best housing bill: indeed he said, "In my opinion this bill has already been compromised. It was compromised in committee and it was compromised on the floor of the Senate." Nevertheless, he urged its passage, in the interest of "moderation" and "honorable compromise."

We are not opposed to "moderation" or "honorable compromise", Mr. Chairman. The people of this country who need better housing have been trying to subsist on less than that for the past ten years. The only trouble is that on a diet of moderate compromises the housing situation in the United States has deteriorated steadily, in spite of a series of housing bills at yearly intervals. Maybe what we require is a housing program just a little more <u>im</u>moderate than those of the past decade -- one that will approach the two million dwelling units a year we need to house our newly formed families and replace at least the sub-substandard slums and shacks to be found in every state and in nearly every city.

As for compromise, Mr. Chairman, we are old hands at that. We have compromised our goals of a "decent home in a suitable environment for every American family" (the language is from the 1949 Act, and it was not too immoderate for Senator Taft), and then we have had to compromise the compromises, as Senator Sparkman has said. We have compromised 135,000 low rent

public housing units a year to 75,000, to 35,000, to 17,500 and in some years to zero. Senator Clark reminds us that ten years after the Housing Act of 1949, less than half of the public housing units authorized by that Act have been built or even contracted for. We do not deny the need to compromise when we must, for practical reasons, but supporters of an adequate housing program should be reluctant to start this year with the compromise they ended with last year, especially when they believe they can do better.

We do not question that S. 57 would be better than no bill at all, which is what we got last year. But we do question that it is the best bill that this Congress will pass. There are many new faces in both Houses; and as we assess the possibilities, we believe there are many more votes for a bold and far-reaching program of housing and urban renewal in the 86th Congress than there were in the 85th. We realize that even in this Congress, a watered-down bill will go through faster and with less controversy than a bill that tried to do more. But we respectfully submit that speed and unanimity are not the most important criteria. We are sure that with the support of the leadership and of this Committee, a better bill can be passed, even if it takes time and disagreement, than one which commanded a large majority of the Senate and nearly two-thirds of the House of the 85th Congress. As far back as November, Senator Johnson said that "a home for every American family" was one of the goals of this Congress. We challenge you and him to an all-out effort to reach that goal.

We realize, too, the possibility that a stronger bill, or even this one, may meet a veto for going beyond the rather niggardly confines of the Budget. Without presuming to trespass on the field of legislative strategy, we submit that it is better to build a clear record on the basis of the country's needs and face the question later of compromising with a veto if it cannot be over-ridden. We beg of you not to begin by compromising.

* * * * * *

Before turning to the specific provisions of the bills before you, I should like to make some general comments, based on many years of experience in the field of housing. I think it is necessary to look at legislation in the framework of the total need and the capacity of the country to meet it. I think we must ask ourselves why -- after twelve years of accumulated effort -- we have made so little progress toward the goals which the Congress itself has so clearly proclaimed. And I think the answer is, as we have so often observed, that we have relied so heavily on the market mechanisms of supply, demand and price, and that market alone cannot provide enough good housing at prices within the reach of those who most need it. All that has been done by lowering down payments and increasing maturities, by sweetening inducements and diminishing risks to home-builders and home-financers, has been to add only about enough to the housing supply to offset the formation of new families, on the one hand, and the demolition of dwellings, on the other. We have never, in any postwar year, built more than about two-thirds of the two million dwellings a year we need. Yet the need

will increase, as the number of new families grows, as old houses deteriorate, and as more and more are demolished by the urban renewal and highway programs.

Our housing programs have brought substantial rewards to speculators, developers, builders and lenders; and those at the higher end of the income scale who can afford it have been able to find housing. But at the other end of the scale, housing has grown worse, scarcer, and more expensive. In New York, as in every city, we see a great deal of this and its tragic consequences. While housing developments have been springing up like mushrooms in the outlying sections of the city and suburbs, deterioration and overcrowding have been spreading, creating slums in their path. And throughout the country where the slums are cleared for redevelopment, displaced families, unable to find suitable dwelling space at prices they can afford, squeeze into the adjoining neighborhoods, making new slums as they go. This is a universal problem and one for which, I regret to say, we of the United States, with our great economic resources and our ingenuity, have found no answers. Senator Clark, who has wrestled with the same problem in Philadelphia, is undoubtedly right in saying that the problem of relocation will set the pace and the limits of our efforts to renew and rehabilitate our cities.

For these reasons we need to be concerned particularly with the provisions of the pending bills which deal with urban renewal and the closely related questions of rental housing for low-and middle-income families. In its statement several weeks ago on "A New New Deal for the 1960's", suggesting legislative priorities for the 86th Congress, the National Executive Committee of ADA made certain recommendations on these subjects. These were carefully considered in the light of what we know of prevailing needs and provide the criteria for our comments on pending legislation.

Mr. Chairman, I realize that as we advocate expanded programs, the Committee may ask: "Where is the money to come from? Do you favor unbalancing the budget to pay for these programs, or do you propose additional taxes?"

It is a fair question and we agree that to propose additional expenditures without considering how they may be paid for would, indeed, be irresponsible.

We would answer, in the first place, that many of the programs we are here suggesting would not involve large additions to the Federal budget for several years from now, and would be spread out over many years beyond that. But this in itself is not a sufficient answer.

We would answer, in the second place, that if new taxes were necessary to pay for an adequate housing program, we would rather see new taxes than continue to tolerate slums and overcrowding. But we do not believe new taxes would be necessary.

The answer is best given in the statement of the ADA Executive Committee to which I have referred:

"The key to our ability /to carry out these programs/ without inflation lies in the too-often forgotten fact that our economy has the

capacity to grow at the rate of 5 percent a year. . . After allowing for population growth, we can have each year upwards of $10 billion of output more to allocate to high priority purposes if we budget our national affairs to this end . . . The rising national output can increase government revenues, at present tax rates, by some $4 to $5 billion each year ($5 to $6 billion a few years from now) as long as the Government provides an economic environment in which workers, farmers and business can maximize production. These additional revenues can and should be augmented by $1 to $2 billion by closing discriminatory loopholes in the revenue laws through which corporations and high-income taxpayers avoid taxation."

In other words, Mr. Chairman, as we conceive it, full employment policies consistently pursued will provide ample revenue for these and other similar programs within a very few years. At the same time, nothing would contribute more to the maintenance of full employment and full production than a vigorous, sustained program of housing and urban renewal.

As for housing needs, we are convinced by the repeated studies on this subject published over the past few years, that no program of housing which does not raise the level of construction to approximately two million units per year over the next decade can meet the total need. To do this would require a rather far-reaching overhaul of Federal, state and local programs of new construction and rehabilitation beyond anything comprehended in the bills before you. We believe that whatever the committee recommends, it should contemplate a far-reaching investigation and study of the ways in which this might be done. I will have occasion to refer to this later in my testimony.

Such an expansion of the rate of construction must assume a substantial increase in the provision of new and rehabilitated dwellings for middle- and low-income families. This, of course, is the heart of the matter and it has been the area of most conspicuous failure in our housing programs since the war. After much consideration, we of ADA are convinced that this requires, among other things, that the housing program be relieved of its dependence on the commercial money markets, and that government credit, direct or indirect, be made available to permit low interest mortgages for home buyers, and for builders of low rental housing.

A sharp step-up in the rate of home construction would promote more rapid progress in urban renewal since, as we have noticed earlier, the rate of slum clearance is for practical purposes limited by the scarcity of housing for displaced families. We believe that the condition of our cities warrants Federal programs of as much as $1 billion a year for the next ten years to quicken the progress of urban renewal programs.

Judging by these criteria, it is clear we have much more to hope for in S. 193 than in S. 57. In the first place, the magnitude of the program authorized by S. 193, although less than we might wish and less than could be used, is more realistically related to the need. The accumulation of applications for urban renewal projects, even under the limited program already in effect, is one evidence of this. Other evidences can be found in the shocking effect of urban blight in almost every American city. We would regard the program contemplated in S. 193 as the minimum that ought

to be approved by this Committee.

We are heartily in accord with the provision of S. 193 which permits the Administrator to reserve funds for allocation out of monies to be appropriated in the future. This we think will facilitate the kind of long-range planning needed for effective urban renewal programs and will assure the cities of continuous support for such plans.

Similarly, we support the provision in Section 103 of S. 193 providing for the early acquisition and clearance of sites in advance of the approval of specific renewal projects. In this connection, I should say ADA has repeatedly urged before committees of the Congress that consideration be given to a program of "urban land reserves", that is, Federal support for a program of early acquisition of land by local authorities to be used for future development. Section 103 certainly is not this, but we hope that it might be the first step towards a more forward-looking program of land planning and land use.

We also support those sections of S. 193 designed to provide more flexibility in the planning and execution of urban renewal programs: for example, the simplification of planning, the removal of inequities in the forms of local grants and contributions, and the encouragement of the use of urban renewal sites for low rent public housing. (Sections 108, 109, 111, 112.) These are provisions which we believe experience has shown to be necessary.

We find the provisions for low rent housing in S. 193 far more hopeful than those of S. 57. It is no secret that the low rent public housing program in recent years has been both starved and smothered, and we find in Title II an approach for resuscitating it. It is a measure of the deterioration of our attitudes toward housing that a return to the goals of ten years ago should be considered progressive, but that is the case. We wholeheartedly support Senator Clark's proposal to reinstate the low rent public housing authorization of the 1949 Act, and we hope this will be the first stage towards a revival of that program.

S. 193 also contains the basis for much needed redirection of the public housing program. In twenty years of experience, we have learned a good deal of what should and what should not be done. We of ADA support without reservation the proposal to grant a greater degree of autonomy to local housing authorities in the execution and management of their public housing programs.

In commenting on these proposals a year ago, we made certain recommendations for modifications, some of which have been already made in S.193. There are two additional points, however, we would like to reiterate. First, that some ceiling formula (not in absolute dollar amounts) on rents to be charged by local housing authorities should be written into the bill as a standard to be observed in setting rents in order to assure that public housing serves the purposes intended by the Congress. And second, that the provision permitting the sale of low rent dwellings to over-income families be approached with caution. We realize the problems created by income limits in a program of this sort, but we are by no means sure that they

will be solved by selling the units to over-income families. In any event, we believe that if such a program is adopted, it should be subject to the condition that a new low rent dwelling is to be provided for every one removed from the rental market by such sales.

We heartily support the emphasis in both S. 57 and S. 193 on housing for the elderly. We believe this should be a specific and important target of our housing programs. Probably, there is need for both the approach in Title II of S. 57, through mortgage insurance, and for the approach through public housing in Title II of S. 193. We would be inclined to stress the latter, simply because the elderly are so often also the poor. The poverty of old age is one of the most prevalent forms of poverty in our prosperous society and certainly justifies preferential treatment of elderly persons through low rent public housing.

We would like to endorse particularly the approach in Title III of S. 193 for the relocation of persons or families displaced by public programs. As I commented above, ADA has consistently believed that the use of government credit at low interest rates is one of the most promising approaches to bringing down the cost of housing to middle income families. Although we can see the reason for preference to the problem of relocation, we suggest that this direct loan, low interest program would be equally suitable for other types of middle income housing as well.

As for the Administration proposals, as contained in the Budget, they are scandalously inadequate. The 6-year program of urban renewal grants, scaling from $250 million down to $200 million a year, would require strict rationing of Federal funds and everywhere force a slow-down of the program just when it is gathering momentum and should be speeded up and encouraged. The sliding reduction of the Federal share from 66 2/3 to 50 percent would place even greater burdens on the cities at a time when almost without exception they are hard pressed to meet the mounting demands for public facilities and services.

There is a bitter irony in these niggardly proposals coming at the same time and in the same Budget as the program to spend more than $3 billion of Federal funds next year and more than $3.5 billion in 1962 for 90 percent grants to States for highways. Of course, we recognize the urgent need for a modernization of the interstate highway system; but we cannot see that the need for housing is any less urgent or any less important to the Nation and its people. And we cannot see that the disguise of a "trust fund" makes it possible for the country to afford the one but not the other.

We were aghast, Mr. Chairman, to read in the Budget message that the 585,000 federally aided public housing units expected to be built or under contract by June 30, 1960, "should meet most of the demand for such housing by low-income families displaced by highway construction, urban renewal, or similar governmental action in the next few years." In the first place the statement would be true only if the urban renewal program is starved for the next few years. In the second place, it is a perversion of long-established policy, set by the Congress, to consider the public housing program solely in terms of refugees from demolition, ignoring the needs

of other low-income families. It is statements like these that cause us to wonder sometimes if the Presidential ghosts live in the same world with the rest of us or in a "make-believe" world of their own, invented to satisfy their Budgets!

Mr. Chairman, there are several other observations, not directly related to any of the bills before you, which I should like to make. Many of those who have worked on the complex problem of our cities, including Senator Clark, have suggested that it is time for the Federal government to undertake to coordinate the various Federal programs dealing with cities and their problems, in an effort to maximize the total impact for better metropolitan planning and better metropolitan development. There are many examples, some of them closely related to housing, (for instance, the relationship between the public housing and public assistance programs) of the need to look at the Federal programs in relation to the cities and metropolitan areas as a whole. While not all of the programs fall under the jurisdiction of this Committee, we would hope in the near future you would undertake this rationalization and coordination of programs having to do with such things as housing, urban renewal, highways, water supply, public welfare, education and recreation.

According to recent news accounts, there is under consideration a suggestion of Senator Clark for a select committee of the Senate to study some of these questions. We would like to recommend most earnestly that this Committee lend its support to a searching and exhaustive inquiry into these questions. The Congress has already taken a pioneering step in this direction on a small scale, in establishing the Joint Committee on the Washington Metropolitan Problems. The fruitful work begun by this committee could and should be broadened and deepened to lay down guide lines of Federal policy with respect to the metropolitan areas in which our population is becoming increasingly concentrated. It seems to us that the kind of overhaul of housing and other programs needed to meet urgent national goals would be greatly facilitated by a study of this kind.